

MONDAY, JANUARY 30, 2012
FORTY-EIGHTH LEGISLATIVE DAY

The House met at 5:00 p.m. and was called to order by Madam Speaker Harwell.

The proceedings were opened with prayer by Dr. Cleo E. "Jack" Jackson, III, First Baptist Church, Lenoir City, TN.

Representative Hurley led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present..... 97

Representatives present were Alexander, Armstrong, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 97

EXCUSED

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under **Rule No. 20**:

Representative S. Jones; personal

Representative Stewart; business

INTRODUCTION OF RESOLUTIONS

On motion, pursuant to **Rule No. 17**, the following resolution(s) listed was/were introduced and referred to the appropriate Committee:

House Joint Resolution No. 166 -- Naming and Designating - "Tennessee Celebrates Chemistry – Our Life, Our Future Year," 2011. by *Ragan.

House State and Local Government Committee

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This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

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***House Joint Resolution No. 604** -- Memorials, Government Officials - Urges governor to continue the operation of and funding for the Taft Development Center. by *Sexton.

House State and Local Government Committee

***House Joint Resolution No. 606** -- Constitutional Amendments - Authorizes casino gambling to operate in Shelby County and certain municipalities within Shelby County in certain circumstances. by *Miller L.

House State and Local Government Committee

***House Joint Resolution No. 607** -- Constitutional Amendments - Proposes an amendment to explicitly prohibit the general assembly from levying, authorizing or otherwise permitting any state or local tax upon payroll or personal income, earned or unearned, or any state or local tax measured by payroll or personal income. by Hardaway.

House Finance, Ways and Means Committee

House Joint Resolution No. 609 -- Naming and Designating - Congenital Heart Defect Awareness Week, Feb. 7-14, 2012. by *Keisling.

House Health and Human Resources Committee

***House Joint Resolution No. 614** -- Memorials, Congress - Urges Congress to return to more original understanding of the Commerce Clause of the federal Constitution. by *Elam, *Eldridge, *Butt, *Weaver, *Halford, *Casada, *Holt, *Sparks, *Hensley, *Floyd.

House Commerce Committee

***House Joint Resolution No. 617** -- General Assembly, Statement of Intent or Position - Expresses opposition to U.S. Army Corps of Engineers proposed water usage fees. by *McDonald, *Turner M, *Maggart, *Elam, *Gotto.

House Conservation and Environment Committee

RESOLUTIONS

Pursuant to **Rule No. 17**, the following resolution(s) was/were introduced and placed on the Consent Calendar for February 1, 2012:

House Resolution No. 167 -- Memorials, Recognition - Katie Wilson. by *Swann.

House Joint Resolution No. 611 -- Memorials, Retirement - Senior Master Sergeant James H. Horn. by *Lundberg.

House Joint Resolution No. 613 -- Memorials, Recognition - Old Washington, Tennessee, Bicentennial. by *Cobb .

House Joint Resolution No. 615 -- Memorials, Death - John P. Davis, Jr. by *Swann.

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House Joint Resolution No. 616 -- Memorials, Recognition - Texas Brigade. by *McDaniel.

INTRODUCTION OF BILLS

On motion, the following bills were introduced and passed first consideration:

***House Bill No. 3374** -- Law Enforcement - As introduced, requires the police officer standards and training commission to establish uniform standards concerning the amount of disclosure of information obtained from the previous employers of a law enforcement applicant. - Amends TCA Title 4; Title 5; Title 6; Title 7; Title 8 and Title 38. by *Johnson C.

***House Bill No. 3375** -- Alcoholic Beverages - As introduced, authorizes retailers and licensees selling liquor by the drink to offer discounts in such manner as the retailers and licensees deem appropriate as long as all taxes that are due and payable are paid on the full price of the product prior to the discount being offered and as long as the sale of the alcoholic beverage is not below the cost paid by the retailer or licensee to purchase the alcoholic beverages. - Amends TCA Title 57. by *Odom.

***House Bill No. 3376** -- Public Contracts - As introduced, allows the state or any political subdivision thereof to choose certain preferred resident vendors' bids over the bids of the lowest responsible bidders as long as the preferred vendors' bids are no more than 5 percent greater. - Amends TCA Title 12, Chapter 3 and Title 12, Chapter 4. by *Odom.

***House Bill No. 3377** -- Domestic Violence - As introduced, requires person who must dispossess all firearms possessed because of an order of protection in effect or domestic assault conviction to also dispossess of any ammunition for such firearms. - Amends TCA Title 36, Chapter 3, Part 6; Title 39, Chapter 13 and Title 39, Chapter 17. by *Odom.

***House Bill No. 3378** -- Game and Fish Laws - As introduced, authorizes TWRA to issue sport fishing and hunting licenses for \$10.00 to Tennessee residents who are 100 percent disabled and receive social security disability. - Amends TCA Title 70, Chapter 2, Part 1. by *Keisling.

***House Bill No. 3379** -- Litter Control - As introduced, subject to local approval, limits the hauling of litter and other materials to commercial or for-hire vehicles specially designed and manufactured for such purpose. - Amends TCA Title 39, Chapter 14, Part 5 and Title 55, Chapter 7, Part 1. by *Keisling.

***House Bill No. 3380** -- Gas, Petroleum Products, Volatile Oils - As introduced, transfers oil and gas board from division of water pollution control to division of geology; modifies site preparation requirements for exploratory drilling and continuing educational requirements for drill and site supervisors. - Amends TCA Title 11, Chapter 1; Title 11, Chapter 5; Title 60; Title 68 and Title 69. by *Keisling, *Niceley.

***House Bill No. 3381** -- Alcoholic Beverages - As introduced, authorizes the Inn at Long Branch on Dale Hollow Lake in Clay County to obtain a license as a premier type tourist resort. - Amends TCA Section 57-4-102. by *Keisling.

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House Bill No. 3382 -- Local Education Agencies - As introduced, provides for re-establishment of elected office of school superintendent for county or city school systems upon two-thirds vote of county or city governing body and approval in an election on the question by the voters; provides for qualifications of candidates; adjusts duties of the local board of education in county or city school systems electing superintendents. - Amends TCA Title 49. by *Keisling.

House Bill No. 3383 -- Tennessee Wildlife Resources Agency - As introduced, prohibits the transport of wild-appearing swine into or within the state without appropriate documentation from the department of agriculture. - Amends TCA Title 70, Chapter 4, Part 1. by *Lollar, *Hawk.

***House Bill No. 3384** -- Schools, Home - As introduced, allows home school students to participate in interscholastic athletics at the school the student would be authorized to attend if the student registers as a home school student and meets academic and conduct requirements as required for other students. - Amends TCA Section 49-50-801 and Title 49, Chapter 6. by *Windle.

***House Bill No. 3385** -- Firearms and Ammunition - As introduced, permits retired correctional officers and inmate relations coordinators to carry firearms if certified. - Amends TCA Title 38, Chapter 8 and Title 39, Chapter 17. by *Windle.

***House Bill No. 3386** -- Salaries and Benefits - As introduced, limits ability of local governments to place employment practices, standards or other requirements that impose or mandate certain employee benefits on businesses that deviate from, modify, supplement, add to, change or vary in any manner from state statutorily imposed or recognized requirements. - Amends TCA Section 4-21-102 and Section 7-51-1802. by *Casada.

House Bill No. 3387 -- Boards and Commissions - As introduced, removes authority of Tennessee State Employee Association to appoint members to certain boards and commissions. - Amends TCA Title 4, Chapter 27; Title 4, Chapter 3, Part 55; Title 4, Chapter 3, Part 53; Title 8, Chapter 27 and Title 41, Chapter 22, Part 4. by *Casada.

***House Bill No. 3388** -- Election Laws - As introduced, exempts any person presenting evidence of honorable discharge from the military at the time of application for ballot from the requirements of showing an identification with a photograph of the voter when signing an application for ballot to vote. - Amends TCA Section 2-7-112. by *Windle.

***House Bill No. 3389** -- Taxes - As introduced, allows an industrial machinery tax credit against franchise and excise taxes for certain forms of business entities that establish a qualified headquarters facility. - Amends TCA Title 67, Chapter 4. by *Harrison.

***House Bill No. 3390** -- Municipal Government - As introduced, authorizes certain cities incorporated under the general law city manager charter to charge fire fees for the construction and maintenance of municipal fire departments. - Amends TCA Title 6, Chapter 19. by *Lollar.

***House Bill No. 3391** -- Municipal Government - As introduced, establishes a mechanism for areas in Shelby County that have been annexed or are about to be annexed to submit a petition for certain referenda related to annexation or deannexation to be held in such areas. - Amends TCA Title 6. by *Lollar.

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***House Bill No. 3392** -- General Assembly - As introduced, deletes references to the legislative office of program evaluation. - Amends TCA Title 3. by *Matheny.

***House Bill No. 3393** -- Environmental Preservation - As introduced, requires fines for environmental violations be spent remediating in the county of the areas generating such fines. - Amends TCA Title 4; Title 68 and Title 69. by *Ragan.

***House Bill No. 3394** -- Courts - As introduced, authorizes creation of veterans' courts to address particular concerns of veterans suffering from post traumatic stress and other conditions arising from military service. - Amends TCA Title 16. by *Ragan.

House Bill No. 3395 -- Taxes, Exemption and Credits - As introduced, authorizes a 20 percent tax credit for a qualified purchaser of solar panels and related solar energy technology to be installed in a residence or business; allows the credit to be applied against sales and use taxes and franchise and excise taxes. - Amends TCA Title 67. by *Matheny.

***House Bill No. 3396** -- Industrial Development - As introduced, includes land, improvements, and machinery used or suitable for use in the production, treatment, processing, or transportation of biofuels and other similar products in the definition of "project." - Amends TCA Title 7, Chapter 53. by *Swann.

***House Bill No. 3397** -- Planning, Public - As introduced, requires a city or county to provide notice to citizens residing in an abutting city or county within a one-mile radius of a proposed facility that is to be built if the facility may be a danger to the health, safety or welfare of the citizens of such city or county. - Amends TCA Title 5; Title 6 and Title 7. by *Maggart.

***House Bill No. 3398** -- Sexual Offenders - As introduced, provides that the conveyance or real or personal property of a sexual offender used to violate a provision of the sex offender registry is subject to forfeiture if the victim was a minor. - Amends TCA Title 39, Chapter 13, Part 5. by *Maggart.

***House Bill No. 3399** -- Sports - As introduced, requires schools to impose certain informational requirements and restrictions on activity relative to youth who suffer concussions in athletic events. - Amends TCA Title 49 and Title 68. by *Maggart.

***House Bill No. 3400** -- Planning, Public - As introduced, enacts the "Tennessee Local Land Bank Pilot Program." - Amends TCA Title 13. by *Ragan.

***House Bill No. 3401** -- Telecommunications - As introduced, requires entities to allow pole attachments and establishes process for resolving pole attachment disputes. - Amends TCA Title 65, Chapter 21. by *Maggart.

***House Bill No. 3402** -- Education - As introduced, extends deadline for raising matching funds for Tennessee Intercollegiate State Legislature Foundation from June 30, 2012, to December 31, 2012, by delaying reversion of existing appropriation to general fund until December 31, 2012. - Amends TCA Title 49, Chapter 3. by *Lollar.

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***House Bill No. 3403** -- Lottery, Scholarships and Programs - As introduced, requires department of education to compare number of students receiving lottery scholarships from each school to determine effectiveness of each school's lottery scholarship day program and facilitate such programs at other schools whenever possible. - Amends TCA Section 49-4-932. by *White.

House Bill No. 3404 -- Board of Regents - As introduced, adds an additional faculty member and student member to the board of regents; makes terms of such members two years and one year as a nonvoting member, one as a voting member; removes a position on the board reserved for a person now deceased. - Amends TCA Section 49-8-201(a) and (b). by *Williams R.

***House Bill No. 3405** -- Education, Higher - As introduced, exempts students entering higher education institutions who were born before January 1, 1970, from any requirement of proof of vaccination against any disease. - Amends TCA Title 49, Chapter 7, Part 1. by *Williams R, *Forgety, *Brooks H, *Ragan, *White.

House Bill No. 3406 -- Nurses, Nursing - As introduced, eliminates requirement that the board of medical examiners and the board of nursing jointly adopt rules to regulate supervision of nurse practitioners; deletes provision prohibiting interpretation of an advanced practice nurse statute as altering or changing the law as it existed on May 22, 2002. - Amends TCA Title 63. by *Shepard.

***House Bill No. 3407** -- Hospitals and Health Care Facilities - As introduced, requires board for licensing health care facilities to promulgate rules requiring emergency room personnel to be trained in advanced cardiovascular life support by January 1, 2013. - Amends TCA Title 68. by *Shepard.

***House Bill No. 3408** -- Consumer Protection - As introduced, requires certain businesses to delete personal information provided by a consumer upon the consumer's written request unless the business is required to retain the information by law. - Amends TCA Title 10; Title 45; Title 47, Chapter 18; Title 62 and Title 63. by *Shepard.

***House Bill No. 3409** -- Insurance Companies, Agents, Brokers, Policies - As introduced, requires every insurer offering homeowner property insurance to make available coverage for insurable landslide losses on any dwelling to the extent provided in the policy to which the landslide coverage attaches. - Amends TCA Title 56. by *Shepard.

***House Bill No. 3410** -- Privacy, Confidentiality - As introduced, specifies that the unauthorized divulging or posting in electronic format, readily accessible on the Internet, of a patient's name, address or other identifying information is subject to certain civil action, criminal prosecution, and civil penalties. - Amends TCA Title 4; Title 28; Title 29; Title 47; Title 63 and Title 68. by *Shepard.

***House Bill No. 3411** -- Consumer Protection - As introduced, requires motor vehicle dealers to comply with prohibition against making contradictory statements in initial offers for prizes or travel services; broadens scope of prohibition to apply at any time. - Amends TCA Title 47, Chapter 18 and Title 55, Chapter 17. by *Shepard.

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***House Bill No. 3412** -- Hospitals and Health Care Facilities - As introduced, prohibits vendors of services for electronic medical records from entering into or renewing contracts or agreements with health care facilities and health care providers that require indemnification of the vendor by the facility or provider or that prohibit lawsuits against the vendor. - Amends TCA Title 56; Title 63 and Title 68. by *Shepard.

***House Bill No. 3413** -- Physicians and Surgeons - As introduced, requires the board of medical examiners and the board of osteopathic examination to issue rules for the training of physicians who prescribe certain opioids. - Amends TCA Title 63. by *Shepard.

House Bill No. 3414 -- Taxes, Real Property - As introduced, requires purchaser of property at delinquent tax sale to record copy of the decree that ordered the sale within three days of purchase to serve as notice of purchaser's interest during the redemption period. - Amends TCA Title 67, Chapter 5. by *Shepard.

***House Bill No. 3415** -- Agriculture, Dept. of - As introduced, requires retail food establishments to post inspection reports in a conspicuous manner. - Amends TCA Title 43, Chapter 1 and Title 53, Chapter 8. by *Williams K.

House Bill No. 3416 -- Education - As introduced, prohibits nepotism in hiring of licensed employees in LEAs. by *Keisling.

***House Bill No. 3417** -- Fiscal Review Committee - As introduced, extends period of time committee has to comment on proposed non-competitive contracts from 20 days to 40 days; removes obsolete language. - Amends TCA Title 3, Chapter 7; Title 3, Chapter 2; Title 4, Chapter 56; Title 36, Chapter 5 and Title 71, Chapter 5. by *Johnson C.

House Bill No. 3418 -- Education, Higher - As introduced, requires applicants for employment involving custodial services at a public institution of higher education to submit to criminal history records check and have results sent to the institution; prohibits the hire of person on sex offender registry for position involving custodial services for campus facilities. - Amends TCA Title 49, Chapter 7; Title 49, Chapter 8 and Title 49, Chapter 9. by *Curtiss.

***House Bill No. 3419** -- Insurance, Life - As introduced, provides that good faith statements in an application for life insurance that are in error are not grounds to deny a claim arising out of such life insurance policy. - Amends TCA Title 56, Chapter 7. by *Hill.

***House Bill No. 3420** -- Dentists and Dentistry - As introduced, requires dentists and dental hygienists to show license on request to a patient; requires board of dentistry's annual report to the governor to be submitted by March 1 of each year. - Amends TCA Title 63, Chapter 5. by *Hill.

***House Bill No. 3421** -- Alcoholic Beverages - As introduced, authorizes Caryonah Hunting Lodge located in Cumberland County to be licensed as a premier type tourist resort. - Amends TCA Section 57-4-102. by *Niceley.

***House Bill No. 3422** -- Criminal Offenses - As introduced, increases punishment for selling or manufacturing synthetic derivatives or analogues of methcathinone from Class A misdemeanor to Class D felony for first offense, Class C felony for second or subsequent offenses and Class C felony for selling to minor regardless of offense. - Amends TCA Title 39, Chapter 17, Part 4. by *Sexton.

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House Bill No. 3423 -- Taxes, Income - As introduced, requires annual adjustment of the Hall Income Tax exemption income levels for persons 65 years of age or older to reflect any increase in the average consumer price index. - Amends TCA Title 67, Chapter 2. by *Sexton.

***House Bill No. 3424** -- Utilities, Utility Districts - As introduced, revises certain provisions regarding financially distressed utility districts. - Amends TCA Title 7, Chapter 82. by *Sexton.

House Bill No. 3425 -- Taxes, Exemption and Credits - As introduced, requires that the income of individuals over 65 years of age have the same meaning ascribed to "adjusted gross income" for federal income tax purposes; requires that income from stock dividends and bond interest be exempt for state tax purposes to the same extent such income is exempt for federal tax purposes. - Amends TCA Title 67, Chapter 2. by *Sexton.

***House Bill No. 3426** -- Utilities, Utility Districts - As introduced, extends certain provisions regarding financially distressed utility districts to public utilities subject to TRA jurisdiction. - Amends TCA Title 7, Chapter 82. by *Sexton.

***House Bill No. 3427** -- Courts - As introduced, specifies that referees have the power of a trial court and the same authority as the judge directing the case to the referee in certain environmental courts. - Amends Chapter 772 of the Public Acts of 1982, as amended. by *Coley.

House Bill No. 3428 -- Safety - As introduced, transfers Title 68, Chapter 103, relative to working in proximity to high-voltage lines, into Title 50, Chapter 3, relative to the Occupational Health and Safety Act, effective July 1, 2012. - Amends TCA Title 50 and Title 68, Chapter 103. by *Matlock.

***House Bill No. 3429** -- Unemployment Compensation - As introduced, requires department of labor and workforce development to implement an Internet-based system that allows employers to receive notices electronically and to submit separation information electronically; requires more information be included on unemployment insurance tax statement at request of employer. - Amends TCA Title 4, Chapter 3, Part 14 and Title 50, Chapter 7. by *Matlock.

***House Bill No. 3430** -- Unemployment Compensation - As introduced, allows employer to qualify as "seasonal employer" for purposes of unemployment insurance benefits. - Amends TCA Title 50, Chapter 7. by *Matlock.

***House Bill No. 3431** -- Unemployment Compensation - As introduced, enacts the "Unemployment Insurance Accountability Act of 2012." - Amends TCA Title 50. by *Matlock.

House Bill No. 3432 -- Telecommunications - As introduced, enacts the "Kelsey Smith Act" to require wireless telecommunications service providers to provide geographic information concerning the location of a service user's wireless device in an emergency situation. - Amends TCA Title 7, Chapter 86; Title 38 and Title 65. by *Matlock.

***House Bill No. 3433** -- Ethics - As introduced, requires members of the general assembly to attend ethics course in every odd-numbered year; allows lobbyists to attend ethics course every other year; allows ethics manuals and guides to be distributed electronically. - Amends TCA Title 3, Chapter 6, Part 1. by *Tindell.

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House Bill No. 3434 -- Water Authorities - As introduced, increases the period of advance notice that a public water system must provide to customers before initiating or permanently ceasing fluoridation from 30 to 35 days. - Amends TCA Title 68, Chapter 221. by *Ramsey.

***House Bill No. 3435** -- Dentists and Dentistry - As introduced, requires commissioner of health to monitor compliance with indigent dental service requirements and to impose sanctions for noncompliance. - Amends TCA Section 68-1-304. by *Ramsey.

House Bill No. 3436 -- General Assembly, Studies - As introduced, creates special joint committee to study hazardous duty pay for certain state employees. by *Ramsey.

***House Bill No. 3437** -- Professions and Occupations - As introduced, makes it unlawful for a partnership to advertise or claim to be licensed or bonded to perform services unless required by law. - Amends TCA Title 62. by *Haynes.

***House Bill No. 3438** -- University of Tennessee - As introduced, authorizes the University of Tennessee to guaranty obligations of a research entity created by the University that are related to acquisition, construction, equipping, or financing of facilities to support the education and research missions of the University. - Amends TCA Title 49, Chapter 9. by *Haynes.

House Bill No. 3439 -- Planning, Public - As introduced, requires a municipal planning commission not less than 30 days prior to the date the commission meeting is scheduled to amend, extend or add to the plan, to post on its web site a map or detailed information describing in specificity how the plan is to be amended, extended or revised. - Amends TCA Title 13. by *Haynes.

***House Bill No. 3440** -- Public Funds and Financing - As introduced, increases the minimum amount of days prior to sale of general obligation bonds that local government entities must provide public notice from five to seven days. - Amends TCA Title 9, Chapter 21; Title 12, Chapter 10 and Title 49, Chapter 3, Part 10. by *Haynes.

***House Bill No. 3441** -- Alcoholic Beverage Commission - As introduced, requires the alcoholic beverage commission to notify the appropriate district attorney and the Alcohol and Tobacco Tax Trade Bureau, U. S. Department of the Treasury if the commission has probable cause to believe that a person is shipping wine to residents of this state in violation of subsection (g). - Amends TCA Title 57, Chapter 3. by *Haynes.

House Bill No. 3442 -- Hospitals and Health Care Facilities - As introduced, creates new category of Level I adult care home under Long-Term Care Community Choices Act. - Amends TCA Title 68. by *McDaniel.

House Bill No. 3443 -- Firearms and Ammunition - As introduced, permits retired correctional officers and inmate relations coordinators previously employed by the department of corrections to apply to obtain certification to carry a weapon in this state in the same manner as a retired law enforcement officer obtains certification to carry in this state. - Amends TCA Title 38, Chapter 8 and Title 39, Chapter 17. by *Windle.

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***House Bill No. 3444** -- Corporations, For Profit - As introduced, increases the number of people necessary to apply for the incorporation of an industrial development board or corporation from three to five. - Amends TCA Title 7; Title 9 and Title 13. by *Eldridge, *Shaw, *Sanderson, *Halford.

House Bill No. 3445 -- Sunset Laws - As introduced, terminates the advisory committee on women's health. - Amends TCA Title 4, Chapter 29 and Title 68, Chapter 1, Part 18. by *Cobb, *Shipley, *Rich.

House Bill No. 3446 -- TennCare - As introduced, enacts the "Annual Coverage Assessment Act of 2012." - Amends TCA Title 71, Chapter 5. by *Harrison, *Casada, *Armstrong, *Maggart, *Odom.

House Bill No. 3447 -- Correctional Programs - As introduced, requires 10-cent fee be collected on telephone calls made by inmates in local jails or workhouses; requires fee to be remitted to special account for local correctional officer training through Tennessee corrections institute. - Amends TCA Section 41-7-104. by *Ramsey.

House Bill No. 3448 -- Safety - As introduced, expands the definition of ready-removable in the Tennessee modular building act to permit ready-removables to include electrical wiring, - Amends TCA Title 68, Chapter 126, Part 3. by *Windle.

***House Bill No. 3449** -- Wildlife Resources Commission - As introduced, restructures commission; requires the executive director to be appointed by and be accountable to the governor. - Amends TCA Title 70, Chapter 1. by *Niceley.

House Bill No. 3450 -- Administrative Procedure (UAPA) - As introduced, expands notice requirement for contested case hearings, from reasonable notice to 30 days notice; prohibits appeal of order of continuance in hearings until order permitting appeal is issued; authorizes petition for attorney's fees and costs by persons in contested case hearings. - Amends TCA Title 4, Chapter 5. by *Watson.

***House Bill No. 3451** -- Sunset Laws - As introduced, extends Judicial Nominating Commission, June 30, 2014. - Amends TCA Title 4, Chapter 29 and Title 17, Chapter 4. by *Watson.

House Bill No. 3452 -- Judges and Chancellors - As introduced, requires the rating of each applicant to fill an appellate court vacancy as highly qualified, qualified or not qualified; authorizes the governor to appoint applicants who are rated as either highly qualified or qualified; requires legislative confirmation under limited circumstances. - Amends TCA Title 17, Chapter 4, Part 1. by *Watson.

***House Bill No. 3453** -- Sunset Laws - As introduced, extends Tennessee court of the judiciary, June 30, 2014. - Amends TCA Title 4, Chapter 29 and Title 17, Chapter 5. by *Watson.

***House Bill No. 3454** -- Schools, Home - As introduced, requires students in independent home schools to take the same proficiency tests in grades 3-12 as public school students take; requires educational intervention if such students test below proficient. - Amends TCA Section 49-6-3050. by *Hensley.

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***House Bill No. 3455** -- Mental Illness - As introduced, authorizes sheriffs to approve certain contracts between designated secondary transportation agents and hospitals to transport persons with mental illness from a hospital to another treatment resource or hospital for compensation. - Amends TCA Title 33. by *Hensley.

House Bill No. 3456 -- Board of Regents - As introduced, allows the chancellor of the board of regents to award back pay to a tenured faculty member whose dismissal the chancellor finds was not appropriate. - Amends TCA Section 49-8-304. by *Hensley.

***House Bill No. 3457** -- State Government - As introduced, transfers bomb and arson section within the department of commerce and insurance to the Tennessee bureau of investigation. - Amends TCA Title 38, Chapter 6 and Title 68, Chapter 102. by *Hensley.

House Bill No. 3458 -- Judges and Chancellors - As introduced, adds the government operations committees of both houses to the list of committees to receive the administrative director of the courts' report on the utilization of senior justices and judges. - Amends TCA Title 4; Title 16 and Title 17. by *Coley.

House Bill No. 3459 -- Business Organizations - As introduced, revises the Tennessee Business Corporation Act. - Amends TCA Title 48. by *Dennis.

***House Bill No. 3460** -- Public Defenders - As introduced, removes certain responsibilities of the executive director of the district public defenders conference. - Amends TCA Title 8, Chapter 14 and Title 9, Chapter 4. by *Dennis.

***House Bill No. 3461** -- Human Rights Commission - As introduced, provides that the commission cannot find an individual employee guilty of a human rights violation if the employer was found to have committed a violation. - Amends TCA Section 4-21-301. by *Dennis.

***House Bill No. 3462** -- Clerks, Court - As introduced, removes requirements that clerk certify certain affidavits and other documents filed for the purpose of administering a small estate. - Amends TCA Title 30, Chapter 4. by *Dennis.

House Bill No. 3463 -- Housing - As introduced, authorizes new mechanisms for merging or dissolving housing authorities. - Amends TCA Title 13, Chapter 20. by *Armstrong, *Tindell, *Brooks H, *Dunn, *Haynes.

House Bill No. 3464 -- Special License Plates - As introduced, extends time period for meeting initial issuance requirements for "I Recycle" new specialty earmarked license plates until July 1, 2013. - Amends TCA Title 55, Chapter 4. by *Armstrong, *Tindell, *Brooks H, *Dunn, *Hall, *Haynes.

House Bill No. 3465 -- Special License Plates - As introduced, authorizes issuance of Dogwood Arts new specialty earmarked license plates. - Amends TCA Title 55, Chapter 4. by *Armstrong, *Tindell, *Brooks H, *Dunn, *Hall, *Haynes.

House Bill No. 3466 -- Motor Vehicles - As introduced, specifies that the amount of the fine for failing to use a child restraint system in a rear facing position is \$75.00, and not a maximum of \$50.00; requires that children up to age two, instead of one, must be protected in such systems. - Amends TCA Title 55, Chapter 9. by *McDonald, *Dean, *Johnson P.

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House Bill No. 3467 -- Criminal Offenses - As introduced, increases punishment for selling or manufacturing synthetic derivatives or analogues of methcathinone from Class A misdemeanor to Class D felony for first offense, Class C felony for second or subsequent offenses and Class C felony for selling to minor regardless of offense. - Amends TCA Title 39, Chapter 17, Part 4. by *Curtiss.

***House Bill No. 3468** -- Child Custody and Support - As introduced, allows the court, in its discretion, in appropriate cases, to order child support for postsecondary education. - Amends TCA Title 34 and Title 36. by *Brooks H.

House Bill No. 3469 -- Education, Higher - As introduced, declares that teacher effect data made available to teacher preparation programs shall not be public records and shall be used only in evaluating the preparation programs. - Amends TCA Section 49-1-606. by *Brooks H.

House Bill No. 3470 -- Education - As introduced, specifies that a third grade student who does not have an understanding of curriculum and ability to perform reading skills may be promoted if the student participates in research-based intervention and shows such understanding and skills upon being retested. - Amends TCA Section 49-6-3115. by *Brooks H.

***House Bill No. 3471** -- Election Laws - As introduced, authorizes recognized minor party the option to nominate all offices by primary or by rules of the party; if they nominate by primary election, the petition for recognition must be filed by the qualifying deadline; if they nominate by any other means, the petition for recognition must be filed 90 days prior to the general election. - Amends TCA Title 2. by *Brooks H.

***House Bill No. 3472** -- Sports - As introduced, revises the Tennessee Athletic Commission Act of 2008. - Amends TCA Title 68, Chapter 115. by *Todd.

***House Bill No. 3473** -- Growth and Development - As introduced, moves a specified area of land located in Shelby County near the southeastern county line from the area reserved for annexation by Memphis to the planned growth area of the county. - Amends TCA Title 6, Chapter 58. by *Todd.

House Bill No. 3474 -- Gas, Petroleum Products, Volatile Oils - As introduced, extends from 20 to 30 days the period of time to file a written notice of appeal before a citation or assessment becomes final for a violation of the rules and regulations promulgated by the oil and gas board. - Amends TCA Title 60. by *Armstrong.

House Bill No. 3475 -- Gas, Petroleum Products, Volatile Oils - As introduced, requires that for the purpose of ad valorem property taxation, the value of certain facilities that extract, purify, dehydrate, or otherwise treat landfill methane be assessed at the same percentage as a qualified pollution control facility. - Amends TCA Title 65, Chapter 28, Part 2 and Title 67, Chapter 5, Part 6. by *Armstrong.

House Bill No. 3476 -- Physicians and Surgeons - As introduced, prohibits health care providers and facilities from charging an uninsured patient who pays in full with cash more than the lowest charge received from a health insurer for the health care service. - Amends TCA Title 56; Title 63; Title 68 and Title 71. by *Armstrong, *Tindell.

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***House Bill No. 3477** -- Transportation, Dept. of - As introduced, increases the time the state treasurer has to notify the administrator of the county, municipality, city or town of the sale of state property and of the funds set aside for local improvement projects from 45 days to 60 days; increases the time for the administrator to give the state treasurer notice of acceptance or rejection of the funds from 120 days to 180 days. - Amends TCA Title 4, Chapter 3, Part 23; Title 54 and Title 55. by *Alexander.

***House Bill No. 3478** -- Nuisances - As introduced, prohibits state and local government employees from installing or using high frequency sound emitting devices for crowd control. - Amends TCA Title 4; Title 5; Title 6; Title 7; Title 8, Chapter 50; Title 39 and Title 47, Chapter 18. by *Evans.

House Bill No. 3479 -- Firearms and Ammunition - As introduced, permits employees with valid handgun carry permits to store firearm in employer's public access parking lot provided it is in a locked vehicle and in a glove box or compartment not visible from outside the vehicle; provides employers with ability to prohibit firearms in employer parking lots in some circumstances. - Amends TCA Title 39, Chapter 17, Part 13. by *Evans.

House Bill No. 3480 -- Public Records - As introduced, clarifies that requests for copies to records custodian may be sent electronically. - Amends TCA Title 10, Chapter 7. by *Watson.

House Bill No. 3481 -- Special License Plates - As introduced, authorizes FedExFamilyHome new specialty earmarked license plate; allocates 50 percent of funds produced from sale thereof to FedExFamilyHome to help provide a place for families of children receiving treatment at Le Bonheur Children's Hospital. - Amends TCA Title 55, Chapter 4. by *Miller L, *Camper, *Richardson, *Cooper B, *Towns, *Todd, *Kernell, *Hardaway, *Lollar, *DeBerry J, *Parkinson, *McManus, *Turner J.

***House Bill No. 3482** -- Alcoholic Beverages - As introduced, requires local beer board to send notice of any violations by permit holder to alcoholic beverage commission if such permit holder also has a liquor-by-the-drink license; requires commission to send notice of any violations by licensee to local beer board if licensee also has beer permit. - Amends TCA Title 57, Chapter 4 and Title 57, Chapter 5. by *Sontany.

House Bill No. 3483 -- Animal Cruelty and Abuse - As introduced, enacts the "Tennessee Animal Abuser Registration, Tracking and Verification Act of 2012." - Amends TCA Title 40, Chapter 39. by *Sontany.

House Bill No. 3484 -- Civil Procedure - As introduced, requires notification of certain boards when a temporary writ of injunction is issued by a court against a business holding a license or permit issued by such agencies; also requires notification when a business holding such a license is declared by a court to be a nuisance; suspension to be for a certain period of time. - Amends TCA Title 4; Section 4-3-1304; Title 5; Title 6; Title 7; Section 8-21-401; Title 29, Chapter 3 and Section 68-1-101. by *Sontany.

House Bill No. 3485 -- Alcoholic Beverage Commission - As introduced, authorizes the commission to conduct criminal history background or fingerprint checks on a random sample of permittees or licensees; increases each application fee by \$50.00 to cover the cost of checks to be deposited in a special background check fund. - Amends TCA Title 57. by *Sontany.

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House Bill No. 3486 -- Health, Dept. of - As introduced, increases the range of civil penalties assessed for any commercial breeder that advertises, sells or offers to sell any companion animal without a valid license from the commissioner from \$50-\$1,000 to \$100-\$2,000. - Amends TCA Title 44, Chapter 17, Part 7. by *Sontany.

***House Bill No. 3487** -- Animal Control - As introduced, prohibits private ownership of primates, subject to certain exceptions. - Amends TCA Title 68, Chapter 101 and Title 70, Chapter 4, Part 4. by *Sontany.

***House Bill No. 3488** -- Pets - As introduced, increases from a Class C misdemeanor to a Class B misdemeanor for any person buying or selling dogs and cats as a dealer without a license from the department of agriculture and without being in compliance with all rules and regulations affecting such dealers. - Amends TCA Title 44, Chapter 17. by *Sontany.

***House Bill No. 3489** -- Animal Cruelty and Abuse - As introduced, bans slaughter of horses for human consumption; bans sale of horse meat for human consumption. - Amends TCA Title 44 and Title 53, Chapter 7. by *Sontany.

House Bill No. 3490 -- Public Employees - As introduced, redefines the duties of the executive director of the public defenders conference. - Amends TCA Title 8, Chapter 14 and Title 9, Chapter 4. by *Dennis.

***House Bill No. 3491** -- Forfeiture of Assets - As introduced, provides that a vehicle used in commission of a violation of driving with a license that was revoked or suspended because of a DUI is not subject to forfeiture if the sole reason for the arrest was the person was in violation of the geographic limitations placed upon a restricted license. - Amends TCA Title 40, Chapter 33 and Title 55. by *Dennis.

***House Bill No. 3492** -- Administrative Procedure (UAPA) - As introduced, requires all reviews of initial orders in contested case hearings be conducted by administrative judges within the administrative procedures division of the office of the secretary of state. - Amends TCA Title 4. by *Dennis.

***House Bill No. 3493** -- General Assembly, Directed Studies - As introduced, creates a special joint committee to conduct a comprehensive study of the administrative process in this state including, but not limited to, the Uniform Administrative Procedures Act. by *Dennis.

***House Bill No. 3494** -- Fireworks - As introduced, exempts from local regulation of fireworks the sale and use of fireworks and certain novelty non-explosive devices; prohibits local governments from prohibiting the sale of certain items. - Amends TCA Title 68, Chapter 104, Part 1. by *Casada.

***House Bill No. 3495** -- Boats, Boating - As introduced, increases from 30 to 45 days the time in which person cited for not wearing flotation device must provide proof of legal age; extends from 30 to 45 days time for proving age may be extended at discretion of officer. - Amends TCA Title 69. by *Casada.

***House Bill No. 3496** -- Education - As introduced, states that LEA shall allocate amount equal to state funds per pupil for education of children in mental health facilities and revises criteria for residential mental health facility to receive such funding. - Amends TCA Section 49-3-370. by *Hensley.

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House Bill No. 3497 -- County Officers - As introduced, allows Roane County to reinstate office of constable by approval of the voters. - Amends TCA Title 8, Chapter 10, Part 1. by *Powers.

***House Bill No. 3498** -- Economic and Community Development - As introduced, extends specified deadlines for curing noncompliance under the Tennessee Small Business Investment Company Credit Act from 60 days to 65 days. - Amends TCA Title 4; Title 8, Chapter 3; Title 8, Chapter 4; Title 10, Chapter 7, Part 5 and Title 67, Chapter 1. by *Johnson C.

***House Bill No. 3499** -- Firearms and Ammunition - As introduced, defines and clarifies the terms "intent to go armed" and "purpose of going armed" when determining if person is in violation of law prohibiting a person from carrying a firearm with the intent to go armed under certain circumstances. - Amends TCA Title 39, Chapter 17. by *Faison, *Weaver, *Shipley, *Matheny, *Brooks K, *Niceley, *Rich.

***House Bill No. 3500** -- Consumer Protection - As introduced, provides that if a customer leaves a store with clothing and an anti-theft security tag has not been removed, merchant must pay customer cost of returning clothing for removal of tag if customer resides more than 15 minutes from the store rather than 30 minutes. - Amends TCA Title 47, Chapter 18 and Title 47, Chapter 50. by *Sargent.

***House Bill No. 3501** -- Utilities, Utility Districts - As introduced, authorizes the Unicoi County Utility District to revert from selection of its commissioners by appointment of the county mayor to plurality vote of its customers in the same manner as had been occurring prior to the utility district requesting the change and receiving approval from the utility management review board to appointment by county mayor on April 7, 2011. - Amends TCA Section 7-82-307. by *Hawk.

House Bill No. 3502 -- Children - As introduced, entitles children to representation by legal counsel in proceedings alleging truancy. - Amends TCA Title 37, Chapter 1, Part 1 and Title 49, Chapter 6, Part 30. by *Brooks H.

House Bill No. 3503 -- Civil Procedure - As introduced, enacts the "Tennessee Legal Funding Act." - Amends TCA Title 23 and Title 29. by *Dennis.

***House Bill No. 3504** -- Motor Vehicles, Titling and Registration - As introduced, includes mini-trucks in the definition of medium-speed vehicles; allows mini-trucks to be titled and registered as medium-speed vehicles. - Amends TCA Title 55, Chapter 1, Part 1 and Section 55-50-102. by *Montgomery.

***House Bill No. 3505** -- Education - As introduced, authorizes and encourages LEAs to partner with individuals, community and faith-based groups and organizations and for-profit and nonprofit entities to devise parental involvement programs that reward schools and classes and honor parents for participating in parenting classes that increase parental involvement in education and schools. - Amends TCA Title 49, Chapter 6, Part 70. by *Gilmore.

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***House Bill No. 3506** -- Local Education Agencies - As introduced, requires a transition planning commission planning the transfer of administration of a special school district's schools to the county board of education, where the transfer will increase student enrollment in the county system by 100 percent or more, to consider and plan for earthquakes and mitigation of earthquake damages, if the school systems are within 100 miles of the New Madrid fault. - Amends TCA Section 49-2-502. by *Kernell.

***House Bill No. 3507** -- Veterinarians - As introduced, requires annual renewal of veterinary technician licenses. - Amends TCA Title 63, Chapter 12. by *Kernell.

***House Bill No. 3508** -- Landlord and Tenant - As introduced, requires landlords to strive to provide information concerning locally available energy efficiency retrofit programs to their tenants. - Amends TCA Title 66. by *Hardaway.

***House Bill No. 3509** -- Remedies and Special Proceedings - As introduced, enacts the "Collaborative Law Act." - Amends TCA Title 20 and Title 29. by *Kernell.

***House Bill No. 3510** -- Day Care - As introduced, revises and deletes certain provisions regarding age groups and ratios in child care agencies. - Amends TCA Section 71-3-502. by *Kernell.

***House Bill No. 3511** -- Child Custody and Support - As introduced, authorizes man who has paid child support for a child who is not his biological child to recover such child support from the biological father. - Amends TCA Section 36-2-309. by *Hardaway.

House Bill No. 3512 -- Public Funds and Financing - As introduced, requires review and approval of the state funding board before a local government could borrow money or contract for or issue debt if the debt of the local government is greater than 10 percent of the assessed valuation of its taxable property or if the proposal for new debt would exceed such 10 percent level. - Amends TCA Title 4; Title 5; Title 6; Title 7 and Title 9. by *Kernell.

House Bill No. 3513 -- Public Funds and Financing - As introduced, requires review and approval of the comptroller before a local government could borrow money or contract for or issue debt if the debt of the local government is greater than 10 percent of the assessed valuation of its taxable property or if the proposal for new debt would exceed such 10 percent level. - Amends TCA Title 4; Title 5; Title 6; Title 7; Title 8 and Title 9. by *Kernell.

House Bill No. 3514 -- Hospitals and Health Care Facilities - As introduced, allows nursing homes and their affiliates to employ physicians in certain circumstances. - Amends TCA Title 63 and Title 68, Chapter 11. by *Brooks K, *Watson, *McCormick, *Matheny, *Turner M, *Dean, *Sexton, *Curtiss, *Casada, *Shepard.

***House Bill No. 3515** -- Tort Liability and Reform - As introduced, provides that liability of defendant for noneconomic damages where liability is alleged vicarious, is determined separately from other employee's or agent's unless the defendant is a grandparent signing to allow a grandchild to receive driver permit. - Amends TCA Section 29-39-102 and Section 29-39-104. by *McCormick.

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***House Bill No. 3516** -- Tort Liability and Reform - As introduced, permits court to set a time period other than annual over which the damages will accrue when trier of fact is specifying the amount of future damages a claimant is due under the Tennessee Civil Justice Act of 2011. - Amends TCA Section 29-39-103. by *McCormick.

***House Bill No. 3517** -- Criminal Offenses - As introduced, revises definitions of fetus as victim for criminal homicide and assaults to remove viability requirement and include an embryo; revises legislative intent statement. - Amends TCA Title 39, Chapter 13. by *Evans.

***House Bill No. 3518** -- Herbal Products and Natural Foods - As introduced, deletes the repeal date of June 30, 2012, of certain provisions regarding sellers of herbs and natural health information exchanges. - Amends TCA Section 63-6-205. by *Niceley.

***House Bill No. 3519** -- Planning, Public - As introduced, abolishes the metropolitan planning commission of Knox County; transfers all duties, responsibilities and functions of the commission to the Knox County Legislative Body. - Amends TCA Title 13. by *Niceley.

***House Bill No. 3520** -- Taxes, Ad Valorem - As introduced, revises provisions governing the valuation and ad valorem assessment of green energy production property. - Amends TCA Section 67-5-601 and Section 67-5-604. by *Hawk.

***House Bill No. 3521** -- Public Contracts - As introduced, specifies that the comptroller's approval is not required for any single procurement, contracts, grants, and other documents that serve to incur financial obligations against state government for less than \$50,000. - Amends TCA Title 4, Chapter 56; Title 12, Chapter 4 and Title 12, Chapter 3. by *Johnson C.

***House Bill No. 3522** -- Comptroller, State - As introduced, requires state agency officials with knowledge of a theft, forgery, fraud or similar unlawful act or abuse of public money or services to report such information to the comptroller. - Amends TCA Title 8, Chapter 4, Part 1. by *Gotto.

House Bill No. 3523 -- Utilities, Utility Districts - As introduced, deletes language that referenced a subsection that was repealed concerning utility district rates sufficient to pay costs and retire bonds. - Amends TCA Title 7, Chapter 82. by *Haynes.

House Bill No. 3524 -- Utilities, Utility Districts - As introduced, requires local development authority to file a statement with the utility management review board when any utility district, water system or wastewater facility fails to meet any loan covenant with the authority; classifies the non-compliant entity as financially-distressed utility. - Amends TCA Title 7, Chapter 82, Part 4; Title 7, Chapter 82, Part 7 and Title 68, Chapter 221, Part 10. by *Haynes.

***House Bill No. 3525** -- Municipal Government - As introduced, revises provisions governing bonds for municipal officials and employees. - Amends TCA Title 6. by *Haynes.

***House Bill No. 3526** -- Public Officials - As introduced, revises provisions governing bonds required of certain public officials. - Amends TCA Title 5; Title 6; Title 7; Title 8; Title 9; Title 13; Title 18; Title 49; Title 54 and Title 67. by *Haynes.

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***House Bill No. 3527** -- Taxes, Real Property - As introduced, allows notice by delivery service alternatives to certified or registered mail, return receipt requested as authorized by federal law in regard to notice to a taxpayer of a tax lien suit. - Amends TCA Title 67, Chapter 5. by *Haynes.

***House Bill No. 3528** -- Taxes, Real Property - As introduced, establishes certain rights of non-governmental entities holding a vested contractual right to payment of fees or assessments in regard to property acquired by the state, a county or municipality at a tax sale. - Amends TCA Title 67, Chapter 5. by *Haynes.

House Bill No. 3529 -- Insurance Companies, Agents, Brokers, Policies - As introduced, increases from 60 to 90 days the time that the insurance company has to respond to the policyholder's demand for payment of damages or loss; and increases from 30 to 45 days the time that the insurance company has, prior to the commencement of action by the policyholder, to make a payment. - Amends TCA Title 56, Chapter 7. by *Pitts.

House Bill No. 3530 -- Veterans - As introduced, establishes a veteran-owned business assistance program to be administered by the department of economic and community development. - Amends TCA Title 4, Chapter 3, Part 7; Title 48, Chapter 102, Part 4 and Title 58. by *Pitts.

House Bill No. 3531 -- Judges and Chancellors - As introduced, terminates salary adjustments for any judge who is convicted of or pleads guilty or no contest to a felony constituting official malfeasance. - Amends TCA Title 8, Chapter 23; Title 16 and Title 17. by *Dunn.

***House Bill No. 3532** -- Insurance, Liability - As introduced, creates a Class A misdemeanor offense for failure by certain persons or business enterprises that contract for or engage in the repossession or attempted repossession of any motor vehicle to not maintain a policy of liability insurance having coverage limits in the amount of \$1 million or more. - Amends TCA Title 39; Title 40; Title 45; Title 54; Title 55; Title 56; Title 62 and Title 68. by *Curtiss.

***House Bill No. 3533** -- Game and Fish Laws - As introduced, authorizes bow fishing for silver carp and authorizes persons who harvest silver carp with archery equipment to sell their catch without possessing a commercial fishing license. - Amends TCA Title 70. by *Matheny.

***House Bill No. 3534** -- Psychologists - As introduced, revises who may suggest nominations to the governor for appointment to the board of examiners of psychology for psychological examiner and senior psychological examiner member from Tennessee Association of Psychological Examiners to Tennessee Psychological Association Division of Psychological Examiners. - Amends TCA Section 63-11-102. by *Cobb, *Shipley.

***House Bill No. 3535** -- Utilities, Utility Districts - As introduced, authorizes municipal electric systems to expand provision of broadband services. - Amends TCA Title 7, Chapter 52. by *Matheny.

***House Bill No. 3536** -- Utilities, Utility Districts - As introduced, authorizes municipal electric systems to expand provision of broadband services. - Amends TCA Title 7, Chapter 52. by *Matheny.

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***House Bill No. 3537** -- Workers Compensation - As introduced, removes from the code obsolete language pertaining to the annual review conducted by the commissioner of commerce and insurance of the impact of Acts 2004, ch. 962 on premiums charged by insurers who provide workers' compensation coverage in this state, as such review was scheduled to cease in 2010. - Amends TCA Title 50. by *Matheny.

House Bill No. 3538 -- Dentists and Dentistry - As introduced, authorizes board to permit registered dental assistants to expose and process dental radiographs. - Amends TCA Title 63, Chapter 5, Part 1. by *Matheny.

House Bill No. 3539 -- Schools, Charter - As introduced, makes charter schools subject to open meetings law; requires charter schools to maintain a web site and post certain notices and information on the web site; makes charter school records open records to the same extent as records of public schools operated by LEAs. - Amends TCA Title 49, Chapter 13. by *Matheny, *Weaver, *Hill, *Pody, *Shipley, *Brooks K, *Forgety, *Powers, *Ragan, *Dunn, *Williams R.

***House Bill No. 3540** -- Schools, Charter - As introduced, regulates charter schools' relationships with foreign entities and the use of non-immigrant foreign workers by charter schools. - Amends TCA Title 49, Chapter 13. by *Matheny, *Brooks K, *Forgety, *Powers, *Ragan, *Williams R, *Dunn.

House Bill No. 3541 -- Utilities, Utility Districts - As introduced, revises provisions governing the creation of a utility district. - Amends TCA Title 7, Chapter 82. by *Sexton.

***House Bill No. 3542** -- Sunset Laws - As introduced, extends Tennessee motor vehicle commission, June 30, 2015. - Amends TCA Title 4, Chapter 29 and Title 55, Chapter 17, Part 1. by *Cobb, *Rich.

***House Bill No. 3543** -- Sunset Laws - As introduced, extends the Tennessee board of court reporting, June 30, 2014. - Amends TCA Title 4, Chapter 29 and Title 20, Chapter 9, Part 6. by *Cobb, *Rich.

***House Bill No. 3544** -- Sunset Laws - As introduced, extends the state TennCare pharmacy advisory committee, June 30, 2016. - Amends TCA Title 4, Chapter 29 and Title 71, Chapter 5, Part 24. by *Cobb, *Rich.

***House Bill No. 3545** -- Audiologists and Speech Pathologists - As introduced, authorizes instead of requires that governor select the physician member of the board of communication disorders and sciences from list of nominees provided by Academy of Otolaryngology and other interested otolaryngology groups. - Amends TCA Title 4, Chapter 29 and Section 63-17-104. by *Cobb, *Rich.

***House Bill No. 3546** -- Sunset Laws - As introduced, extends the board of medical examiners, June 30, 2013. - Amends TCA Title 4, Chapter 29 and Title 63, Chapter 6, Part 1. by *Cobb, *Rich.

***House Bill No. 3547** -- Sunset Laws - As introduced, extends the board of respiratory care, June 30, 2016. - Amends TCA Title 4, Chapter 29 and Title 63, Chapter 27, Part 1. by *Cobb, *Rich.

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***House Bill No. 3548** -- Surveyors - As introduced, authorizes instead of requires that the governor select members of board of land survey examiners from lists of nominees submitted by Tennessee Association of Professional Surveyors and other interested surveyor groups. - Amends TCA Title 4, Chapter 29; Section 62-18-103 and Section 62-18-104. by *Cobb.

***House Bill No. 3549** -- Optometry - As introduced, clarifies that governor is authorized, but not required, to make appointments to the board of optometry from lists of nominees provided by the Tennessee Optometric Association and other interested optometric groups. - Amends TCA Title 4, Chapter 29 and Section 63-8-105. by *Cobb, *Rich.

***House Bill No. 3550** -- Sunset Laws - As introduced, creates sunrise provision for energy efficient schools council, June 30, 2013; directs that members may be appointed from lists of qualified persons submitted by interested contractor, architectural and engineering groups including, but not limited to, the board for licensing contractors and the board of examiners for architects and engineers. - Amends TCA Title 4, Chapter 29 and Section 49-17-103. by *Cobb, *Rich.

***House Bill No. 3551** -- Veterinarians - As introduced, requires governor to consult with interested veterinary groups including the Tennessee Veterinary Medical Association, which under current law may recommend licensed doctors of veterinary medicine and licensed veterinary technicians for appointment to the board, prior to making appointments to board of veterinary medical examiners. - Amends TCA Title 4, Chapter 29 and Section 63-12-104. by *Cobb.

***House Bill No. 3552** -- Boards and Commissions - As introduced, makes permissive instead of mandatory the provisions for the Home Builders Association of Tennessee, Inc., submitting list of recommended persons to the governor and the governor consulting with the association about its recommendations prior to the governor making appointment to the state board for licensing contractors; authorizes other interested home builder groups to submit lists of qualified persons. - Amends TCA Title 4, Chapter 29 and Section 62-6-104. by *Cobb, *Rich.

***House Bill No. 3553** -- Psychologists - As introduced, authorizes instead of requires that governor select psychologist members of board of examiners in psychology from lists of nominees submitted by Tennessee Psychological Association, and select psychological examiner and senior psychological examiner board members from lists provided by Tennessee Association of Psychological Examiners and other interested psychology groups. - Amends TCA Title 4, Chapter 29 and Section 63-11-102. by *Cobb, *Rich.

***House Bill No. 3554** -- Funeral Directors and Embalmers - As introduced, authorizes instead of requires that governor select some members of board of funeral directors and embalmers from lists of nominees submitted by Tennessee Funeral Directors Association and Tennessee Funeral Directors and Morticians Association, and other interested funeral director and mortician groups. - Amends TCA Title 4, Chapter 29 and Section 62-5-201. by *Cobb, *Rich.

***House Bill No. 3555** -- Dentists and Dentistry - As introduced, requires governor to consult with interested dental groups including, but not limited to, the Tennessee Dental Association, the Tennessee Dental Hygienists Association and the Tennessee Dental Assistants' Association prior to making appointments to the board of dentistry. - Amends TCA Title 4, Chapter 29 and Section 63-5-103. by *Cobb, *Rich.

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***House Bill No. 3556** -- Handgun Permits - As introduced, provides that veterans may obtain a handgun carry permit without payment of the \$115 processing fee and renew a permit without payment of the \$50.00 renewal fee. - Amends TCA Title 39, Chapter 17, Part 13. by *Windle.

House Bill No. 3557 -- Education - As introduced, requires the departments of health and education to jointly amend and periodically revise guidelines concerning use and availability of anti-seizure medication during an emergency. - Amends TCA Title 49. by *Casada.

***House Bill No. 3558** -- Water - As introduced, requires that any public water or waterworks system, which determines to initiate or permanently cease fluoridation of its water supply, shall notify the departments of health and environment and conservation and its customers 30 days prior to any vote. - Amends TCA Title 68, Chapter 221. by *Ramsey.

House Bill No. 3559 -- Employees, Employers - As introduced, prohibits employment discrimination based on an applicant or current employee's ownership, storage, transportation or possession of a firearm that is otherwise in accordance with state and federal law. - Amends TCA Title 39; Title 40 and Title 50. by *Bass.

House Bill No. 3560 -- Firearms and Ammunition - As introduced, prevents employers and landowners from prohibiting individuals licensed to carry from storing guns in locked, personal vehicles. - Amends TCA Title 39 and Title 40. by *Bass.

***House Bill No. 3561** -- Public Utilities - As introduced, requires contractors mowing right-of-ways to give prior notice to utility operators; requires utility operators to stake or mark utilities after receiving such notice; removes liability of contractors for damage caused to utilities if the utility operators fail to stake or mark the utilities after notice is given. - Amends TCA Title 65, Chapter 31. by *Bass.

***House Bill No. 3562** -- Highway Signs - As introduced, names bridge on U.S. 64 in Giles County in honor of the late James E. Wells. by *Bass.

***House Bill No. 3563** -- Firearms and Ammunition - As introduced, confers immunity upon publisher or owner of newspaper or other publication that advertises a firearm for sale for any liability relating to such transaction unless the publisher or owner knows either or both parties to transaction were prohibited from possessing firearm. - Amends TCA Title 39, Chapter 17, Part 13. by *Bass.

***House Bill No. 3564** -- Forfeiture of Assets - As introduced, makes vehicle used to elude or escape from police subject to seizure and forfeiture using the same procedure as vehicles used in drug violations. - Amends TCA Title 39, Chapter 16, Part 6 and Title 40, Chapter 33, Part 2. by *Rich.

***House Bill No. 3565** -- Boards and Commissions - As introduced, requires electronic notification of all meetings be given to persons licensed, certified, or registered by such board or commission at least 45 days prior to such meetings. - Amends TCA Title 4; Title 37; Title 45; Title 57; Title 62; Title 63 and Title 71. by *Rich.

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***House Bill No. 3566** -- Auditing - As introduced, requires qualified TNInvestco entities to prepare and report financial statements to the state on the same basis of accounting under which the qualified TNInvestco files its federal income tax returns; provides that such financial statements shall not be based on generally accepted accounting principles (GAAP). - Amends TCA Section 4-28-110 and Section 8-4-116. by *White.

House Bill No. 3567 -- Fire Prevention and Investigation - As introduced, requires specified disclosures related to fire suppression and other related services on residential real estate disclosure form. - Amends TCA Title 5, Chapter 17; Title 12, Chapter 3; Title 66, Chapter 5 and Title 68, Chapter 102. by *Sanderson.

***House Bill No. 3568** -- Beer - As introduced, prohibits a customer from using a self-checkout machine for the purchase of beer. - Amends TCA Section 57-5-301. by *Sanderson.

***House Bill No. 3569** -- Agriculture - As introduced, adds two speaker appointed members to the Tennessee agricultural hall of fame board. - Amends TCA Title 43 and Title 67, Chapter 5. by *Sanderson.

House Bill No. 3570 -- Highway Signs - As introduced, names segment of S.R. 68 in Monroe County in honor of the late LCpl. Franklin "Frankie" Namon Watson, USMC. by *Matlock.

***House Bill No. 3571** -- State Government - As introduced, prohibits Tennessee and all political subdivisions from adopting or implementing the United Nations Rio Declaration on Environment and Development and the Statement of principles for Sustainable Development, known as "Agenda 21.". by *Womick, *Floyd, *Carr.

***House Bill No. 3572** -- Real Property - As introduced, defines "private property rights" to clarify meaning of unwarranted government interference with such rights. - Amends TCA Title 12, Chapter 1, Part 2. by *Womick, *Floyd.

***House Bill No. 3573** -- Eminent Domain - As introduced, restricts counties, municipalities, and other legally recognized forms of government from exercising eminent domain power beyond the jurisdictional boundaries of each entity. - Amends TCA Title 5; Title 6; Title 7 and Title 29. by *Womick, *Floyd.

***House Bill No. 3574** -- Sunset Laws - As introduced, extends the Tennessee court of the judiciary, June 30, 2013. - Amends TCA Title 4, Chapter 29 and Title 17, Chapter 5. by *Womick.

***House Bill No. 3575** -- Sunset Laws - As introduced, extends the judicial nominating commission, June 30, 2013. - Amends TCA Title 4, Chapter 29 and Title 17, Chapter 4. by *Womick.

***House Bill No. 3576** -- Education, Higher - As introduced, prohibits certain colleges and universities in this state from denying recognition, privileges or benefits to a student organization or group on the basis of religious content of the organization's or group's speech or the manner in which the organization or group determines its organizational affairs. - Amends TCA Title 49. by *Pody.

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***House Bill No. 3577** -- Child Abuse - As introduced, states that reports of physical child abuse shall be investigated by child protective services investigator who is trained in investigating physical abuse or child advocacy center, but not by probation officer previously assigned to the child. - Amends TCA Title 37. by *Jones S.

***House Bill No. 3578** -- Pensions and Retirement Benefits - As introduced, increases, from 60 to 65, the age for mandatory retirement of state law enforcement officers. - Amends TCA Title 8, Chapter 34, Part 7 and Title 8, Chapter 36, Part 2. by *Jones S.

House Bill No. 3579 -- Hospitals and Health Care Facilities - As introduced, provides that reporting of injury other than those caused by deadly weapon upon a domestic violence or sexual assault on adult who does not wish to give consent to send identifying information to law enforcement to be filled out on forms that provide location and injury information but not name and address of victim. - Amends TCA Title 36 and Title 38. by *Jones S, *Richardson, *DeBerry J, *Coley, *Shipley, *Odom, *Turner M, *Dennis.

***House Bill No. 3580** -- Pets - As introduced, increases from \$25.00 to \$30.00 the amount a person must place on deposit with an animal adoption agency prior to the adoption of a cat or dog to make sure the animal is spayed or neutered. - Amends TCA Title 44. by *Richardson.

***House Bill No. 3581** -- Professions and Occupations - As introduced, requires the commissioner of commerce and insurance to maintain a registry of current locksmiths and any disciplinary actions against them on the department's web site. - Amends TCA Title 62, Chapter 11. by *Carr.

***House Bill No. 3582** -- Alcoholic Beverages - As introduced, prohibits labeling whiskey, rum or other distilled spirits as being from Tennessee unless such whiskey, rum or other distilled spirits is distilled in this state. - Amends TCA Title 57, Chapter 1 and Title 57, Chapter 2. by *Carr.

***House Bill No. 3583** -- Schools, Charter - As introduced, deletes an obsolete provision that required a charter school task force to file a report that has now been filed. - Amends TCA Title 49. by *Carr.

***House Bill No. 3584** -- Education, Higher - As introduced, removes public institutions of higher education from requirements of blind vending facilities. - Amends TCA Section 49-8-118 and Section 71-4-502. by *Carr.

House Bill No. 3585 -- Banks and Financial Institutions - As introduced, extends indefinitely provisions authorizing a money transmitter licensed pursuant to title 45, chapter 7 with a net worth of not less than \$25 million to organize and own or control a credit card state bank in Tennessee. - Amends TCA Title 45, Chapter 2 and Title 45, Chapter 7. by *Fitzhugh.

House Bill No. 3586 -- Schools, Charter - As introduced, includes in definition of underutilized and vacant property of an LEA schools in which the number of students enrolled is less than 50 percent of the school's capacity; authorizes comptroller to conduct a review of the LEA's catalog of underutilized and vacant property, if requested. - Amends TCA Title 49. by *Sargent.

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House Bill No. 3587 -- Schools, Charter - As introduced, changes grounds for revocation of a public charter school agreement from failing to make AYP for two consecutive years to failing to meet achievement benchmarks of the state's academic accountability system for five consecutive years; allows revocations for failure to meet academic accountability to be appealed to the state board of education. - Amends TCA Title 49, Chapter 13. by *DeBerry L.

House Bill No. 3588 -- Insurance Companies, Agents, Brokers, Policies - As introduced, allows insurance companies to offer preference or distinction in property, marine, casualty, or surety insurance as to form or policy, certificate, premium, rate, benefits, or conditions of insurance, based upon membership, nonmembership, or employment of any person by or in certain groups. - Amends TCA Title 56, Chapter 8, Part 1. by *Elam.

***House Bill No. 3589** -- Litter Control - As introduced, authorizes municipal courts to exercise jurisdiction and impose penalties for littering violations adopted pursuant to TCA 39-14-503. - Amends TCA Title 16, Chapter 18 and Title 39, Chapter 14, Part 5. by *Elam.

***House Bill No. 3590** -- Explosives - As introduced, authorizes local governments to adopt procedures for the issuance of stop-work orders for blasting operations at quarries or development sites located within their jurisdictional limits. - Amends TCA Title 5; Title 6; Title 7 and Title 68, Chapter 105, Part 1. by *Elam.

House Bill No. 3591 -- Special License Plates - As introduced, authorizes issuance of Autism Awareness new specialty earmarked license plates; allocates 50 percent of funds produced from sale thereof to three autism support organizations. - Amends TCA Title 55, Chapter 4. by *McManus.

***House Bill No. 3592** -- Boards and Commissions - As introduced, authorizes Tennessee film, entertainment and music commission to enter into partnership agreements with nonprofit organizations to promote and support goals and objectives of the commission. - Amends TCA Title 4, Chapter 3, Part 50. by *McManus.

***House Bill No. 3593** -- County Officers - As introduced, directs the comptroller to review and evaluate public policies and practices whereby certain county officials are authorized to retain a portion of the fees they collect during the performance of their official duties. - Amends TCA Title 8. by *Lundberg.

***House Bill No. 3594** -- Process, Service of - As introduced, authorizes counties to enforce violations of regulations and resolutions by civil warrant or citation in the same manner as metropolitan forms of government. - Amends TCA Title 5, Chapter 1. by *Lundberg.

House Bill No. 3595 -- Municipal Government - As introduced, extends date from July 1, 2012, to July 1, 2014, on expansion of urban growth boundaries for certain tracts of land 10 acres or smaller. - Amends TCA Section 6-58-104. by *Lundberg.

House Bill No. 3596 -- County Officers - As introduced, clarifies that sheriffs have a duty to enforce county ordinances and resolutions. - Amends TCA Title 8, Chapter 8. by *Lundberg.

House Bill No. 3597 -- Taxes, Litigation - As introduced, authorizes the Sullivan County legislative body, by two-thirds majority vote, to levy a privilege tax of \$25.00 in all civil and criminal cases, such revenue to be used exclusively to provide representation for indigent criminal defendants. - Amends TCA Section 67-4-601. by *Lundberg.

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House Bill No. 3598 -- Criminal Offenses - As introduced, creates Class C misdemeanor of a law enforcement officer unlawfully installing a tracking device on a person or object and establishes a procedure whereby the district attorney can apply to a court for permission to install a tracking device for a specified period for specified offenses. - Amends TCA Title 39, Chapter 13, Part 6 and Title 40, Chapter 6. by *Lundberg.

House Bill No. 3599 -- Consumer Protection - As introduced, prohibits lenders from entering into transactions in which a person or entity, for certain consideration, provides funds to another person involved in a legal action and the person receiving the funds assigns to the person or entity the contingent right to receive a part of the proceeds or the legal action's settlement or award; voids contracts resulting from such transactions; makes such prohibited behavior a violation of the Consumer Protection Act of 1977. - Amends TCA Title 45 and Title 47, Chapter 18. by *Lundberg.

House Bill No. 3600 -- Gambling - As introduced, removes the grading punishment for lotteries, chain letters and pyramid clubs and punishes the offense according to the grading punishment for theft. - Amends TCA Title 39, Chapter 17. by *Sargent.

House Bill No. 3601 -- Pensions and Retirement Benefits - As introduced, adds within a statute governing the investments of TCRS a citation to the statutory provision creating the council on pensions and insurance. - Amends TCA Section 8-37-104(a)(10)(A). by *Sargent.

House Bill No. 3602 -- Public Funds and Financing - As introduced, changes requirements for federal home loan banks in regard to the issuance of letters of credit as eligible collateral for public funds to require that the banks be rated "investment grade" by at least one nationally recognized securities rating service instead of being rated in the highest category by at least two nationally recognized securities rating services. - Amends TCA Section 9-4-103(9)(A). by *Sargent.

House Bill No. 3603 -- Pensions and Retirement Benefits - As introduced, revises provisions governing credit for prior service for persons participating in TCRS as employees of participating local government units. - Amends TCA Title 8, Chapter 25, Part 1; Title 8, Chapter 25, Part 3; Title 8, Chapter 34; Title 8, Chapter 35; Title 8, Chapter 36 and Title 8, Chapter 37. by *Sargent.

House Bill No. 3604 -- Taxes, Litigation - As introduced, imposes additional \$2.00 litigation tax on criminal charges instituted in general sessions court; creates judicial commissioner continuing education account; subject to appropriation, authorizes moneys in fund to be utilized for development and presentation of continuing education programs. - Amends TCA Section 40-1-111 and Title 67, Chapter 4, Part 6. by *Sargent.

House Bill No. 3605 -- Taxes, Sales - As introduced, specifies that food that is glazed by the seller is not "prepared food" for purposes of taxation. - Amends TCA Title 67. by *McDaniel.

House Bill No. 3606 -- Taxes, Tobacco, Tobacco Products - As introduced, mandates any operator of a roll your own cigarette machine is a tobacco product manufacturer and must pay the excise tax. - Amends TCA Title 67, Chapter 4, Part 26. by *McDaniel.

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***House Bill No. 3607** -- Food and Food Products - As introduced, increases notice requirement from 10 to 15 days that the commissioner must give to a holder of a milk sampler's license before a revocation hearing. - Amends TCA Title 53. by *Womick.

***House Bill No. 3608** -- Immigration - As introduced, removes reporting requirement of jail and detention facility keepers to federal authorities when a person arrested, booked or confined is determined to be in violation of the Immigration and Naturalization Act; places certain reporting requirements on jail keepers if an individual in custody under a Form 1-247 civil immigration detainer does not meet certain criteria for reimbursement to the state. - Amends TCA Title 40. by *Richardson.

House Bill No. 3609 -- Municipal Government - As introduced, creates taxpayer cause of action and remedy for the recovery of funds unlawfully paid by a municipality. - Amends TCA Section 6-56-112. by *Richardson.

***House Bill No. 3610** -- Alcoholic Beverage Commission - As introduced, clarifies existing law in relation to the manner in which license fees are assessed by the commission for limited service restaurants, the timing of promulgating rules, the assessment of fines in certain circumstances, the regulation of tastings by retail licensees and the regulation of certain controlled substances. - Amends TCA Title 57. by *Todd.

***House Bill No. 3611** -- Students - As introduced, revises school attendance requirements and truancy. - Amends TCA Title 37 and Title 49. by *Miller D.

***House Bill No. 3612** -- Medical Occupations - As introduced, defines credentialed individuals and authorizes unlicensed, but board certified, orthotists and prosthetists to work under the supervision of a licensed orthotist or prosthetist. - Amends TCA Title 63, Chapter 2 and Title 63, Chapter 3. by *Miller D.

***House Bill No. 3613** -- Bond Issues - As introduced, clarifies that certain notice dates and approvals or disapprovals are required in 15 business days instead of 15 days. - Amends TCA Title 4; Title 5; Title 6; Title 7 and Title 9. by *Kernell.

***House Bill No. 3614** -- Judges and Chancellors - As introduced, removes, effective September 1, 2012, requirement that the judge of any court be licensed to practice law. - Amends TCA Title 6, Chapter 33; Title 16 and Title 17. by *Cooper B.

***House Bill No. 3615** -- Election Laws - As introduced, requires justices of supreme court to be popularly elected by voters of designated supreme court districts to be created by the general assembly and requires intermediate appellate courts to be popularly elected by voters of designated intermediate appellate court districts. - Amends TCA Title 17. by *Cooper B, *Towns, *Miller L.

***House Bill No. 3616** -- Education - As introduced, enacts the "Religious Viewpoints Antidiscrimination Act." - Amends TCA Title 49, Chapter 6. by *Holt.

***House Bill No. 3617** -- Professions and Occupations - As introduced, exempts non-licensed security professionals who administer and install video surveillance equipment from regulation under the Alarm Contractors Licensing Act. - Amends TCA Title 62. by *Holt.

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***House Bill No. 3618** -- Agriculture, Dept. of - As introduced, clarifies what the Tennessee agriculture enhancement program entails for purposes of determining the allocation of funds collected from the tax on certain tobacco products. - Amends TCA Section 67-4-1025. by *Holt, *Niceley, *Ford.

***House Bill No. 3619** -- Agriculture, Dept. of - As introduced, requires commissioner to post and keep current on the department's web site statistics and other information relative to Tennessee's equine industry compiled by the department. - Amends TCA Title 39, Chapter 14; Title 43, Chapter 1; Title 44 and Title 53, Chapter 7. by *Holt.

***House Bill No. 3620** -- Criminal Offenses - As introduced, creates a new misdemeanor offense for a person who applies for employment with the intent to cause economic damage to the employer by recording on the premises of the employer and releasing such recordings to a third party. - Amends TCA Title 39; Title 40 and Title 50. by *Holt.

House Bill No. 3621 -- Education, Curriculum - As introduced, requires that a family life education curriculum comply with certain restrictions. - Amends TCA Title 49, Chapter 6. by *Gotto.

House Bill No. 3622 -- Lottery, Scholarships and Programs - As introduced, permits an independent postsecondary institution that was an eligible independent postsecondary institution for lottery scholarship purposes, but became ineligible because of a change in the definition of eligible independent postsecondary institution, to remain in eligible status so long as it is accredited by SACS. - Amends TCA Section 49-4-902(11)(B). by *Gotto, *Montgomery, *Brooks H, *Harrison, *Lollar.

House Bill No. 3623 -- State Employees - As introduced, requires annual authorization by state employees of certain portions of payroll deductions for employee associations; provides for record keeping of those organizations and for voluntary withdrawal of nonmandatory dues by employees. - Amends TCA Title 8, Chapter 23. by *Elam.

House Bill No. 3624 -- Zoning - As introduced, defines agricultural uses to mean any land, machinery, buildings, recreational and educational activities for the commercial production of farm products and nursery stock for purposes of certain zoning provisions. - Amends TCA Title 13 and Title 43. by *Sparks.

***House Bill No. 3625** -- Hospitals and Health Care Facilities - As introduced, prohibits certain health care facilities from requiring an uninsured or underinsured patient from paying more than 110 percent of the Medicare reimbursement for health care services. - Amends TCA Title 68. by *Sparks.

***House Bill No. 3626** -- Traffic Safety - As introduced, specifies that the maximum fine for any bicyclist failing to comply with the rules of the road is \$50.00. - Amends TCA Title 55, Chapter 8. by *Sargent.

***House Bill No. 3627** -- Regional Authorities and Special Districts - As introduced, clarifies definition of "authority" in provisions governing regional transportation authorities to include reconstituted authority of Middle Tennessee; removes reference to power of regional transportation authorities to condemn property pursuant to the provisions governing such authorities in furtherance of mass transit and transportation plans. - Amends TCA Title 29, Chapter 20 and Title 64, Chapter 8. by *Johnson P.

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***House Bill No. 3628** -- Attorneys at Law - As introduced, requires that an attorney provided to an indigent defendant, other than a public defender or post conviction defender, file a disclosure of financial interests with the ethics commission if the attorney is paid more than \$500. - Amends TCA Title 39 and Title 40. by *Womick.

***House Bill No. 3629** -- Insurance Companies, Agents, Brokers, Policies - As introduced, increases the written notice requirement, from 30 days to 45 days, for someone requesting a hearing before the commissioner for a disapproved or modified insurance filing. - Amends TCA Title 56. by *Womick.

***House Bill No. 3630** -- Game and Fish Laws - As introduced, specifies that a landowner has a cause of action to recover damages against a person unlawfully hunting on the landowner's property. - Amends TCA Title 29 and Title 70. by *Niceley.

***House Bill No. 3631** -- Water - As introduced, requires TDEC commissioner to submit the annual recommendations regarding options for the protection of watersheds and the control of sources of pollution in order to assure the future quality of potable drinking water supplies throughout the state by February 15 of each year. - Amends TCA Title 69. by *McDonald.

***House Bill No. 3632** -- Tobacco, Tobacco Products - As introduced, establishes requirements relative to non-participating manufacturers and importers for non-participating manufacturers. - Amends TCA Title 67, Chapter 4, Part 26. by *Sargent.

***House Bill No. 3633** -- Beer - As introduced, authorizes the beer boards in the four major counties to suspend or revoke the beer permit if the alcoholic beverage commission suspends or revokes the alcohol license of the establishment; requires the commission to notify the beer board of such action taken by the commission. - Amends TCA Title 57, Chapter 4, Part 2 and Title 57, Chapter 5, Part 1. by *Floyd.

***House Bill No. 3634** -- Criminal Offenses - As introduced, treats drug use that affects a child in utero as child abuse. - Amends TCA Title 36; Title 37; Title 39 and Title 40. by *Jones S.

***House Bill No. 3635** -- Public Contracts - As introduced, permits local governments to enter capital leases or built-to-suit capital leases for buildings. - Amends TCA Title 5; Title 6; Title 7; Title 8; Title 9; Title 12; Title 49 and Title 67. by *Williams R.

***House Bill No. 3636** -- Education - As introduced, requires all driver education courses to include instruction on the dangers of texting while driving and the penalty therefor. - Amends TCA Title 49. by *White.

***House Bill No. 3637** -- Criminal Procedure - As introduced, deletes provision prohibiting district attorney from applying to judge for a wiretap order in marijuana cases in which the amount is less than 700 pounds. - Amends TCA Title 39, Chapter 17. by *Gotto, *Maggart, *Womick.

House Bill No. 3638 -- Criminal Procedure - As introduced, expands definition of "uses" and "conducts" to include "transport" and "conceal" for purposes of the money laundering criminal offenses. - Amends TCA Title 39 and Title 40 relative to criminal offenses and criminal procedure. by *Gotto, *Maggart, *Womick.

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***House Bill No. 3639** -- Employees, Employers - As introduced, redefines "employee" under the Tennessee Lawful Employment Act to mean "any Tennessee resident" instead of "any individual"; requires employers who enroll in E-Verify to use such program; changes date by which certain employers must comply with certain provisions of the Act from January 1, 2013 to January 1, 2014. - Amends TCA Title 50, Chapter 1. by *Haynes.

House Bill No. 3640 -- Planning, Public - As introduced, requires counties of a planning region to create a property rights advisory counsel composed of at least three volunteer residents within the planning region who are to review all proposed zoning or comprehensive plan amendments to ensure the proposed compulsory land-use controls are necessary and that private alternatives to land-use controls have been proven by clear and convincing evidence to be unfeasible. - Amends TCA Title 13, Chapter 3, Part 1. by *Hensley.

***House Bill No. 3641** -- Growth and Development - As introduced, requires certain notices be given to neighboring property owners when a zoning ordinance, subdivision plat, or annexation is being proposed. - Amends TCA Title 5; Title 6; Title 7 and Title 13. by *Faison.

***House Bill No. 3642** -- Public Contracts - As introduced, prohibits entities investing \$20 million or more in the Iranian energy sector from contracting with public entities in Tennessee for goods or services valued at \$1 million or more. - Amends TCA Title 4; Title 5; Title 6; Title 7; Title 8 and Title 12. by *Gotto.

***House Bill No. 3643** -- Courts, General Sessions - As introduced, authorizes general sessions courts, in counties with populations of 900,000 or more, to have the power to condemn or attach a lien to real or personal property with a value in excess of \$25,000. - Amends TCA Title 16; Title 17; Title 20 and Title 29, Chapter 30. by *Camper.

House Bill No. 3644 -- Probation and Parole - As introduced, establishes pilot program to reduce the number of repeat offenders in the state. - Amends TCA Title 5; Title 6; Title 7; Title 40 and Title 41. by *Camper.

House Bill No. 3645 -- Economic and Community Development - As introduced, requires department of economic and community development to study feasibility of creating an inner-city small business fund and report its findings to the general assembly by February 15, 2013. - Amends TCA Title 4; Title 12 and Title 13. by *Camper.

House Bill No. 3646 -- Business and Commerce - As introduced, directs the comptroller to study the feasibility of waiving the performance bond requirement for small businesses and report its findings and conclusions to the state and local government committees of both the senate and house by February 13, 2013. - Amends TCA Title 4 and Title 12. by *Camper.

House Bill No. 3647 -- Local Government, General - As introduced, authorizes corporate authorities of municipalities to hold landowners responsible for maintaining and securing vacant property; authorizes municipalities to establish registries by which to effect service of process and notice on landowners. - Amends TCA Title 6, Chapter 54, Part 1. by *Camper.

House Bill No. 3648 -- Bonding, Surety and Professional - As introduced, requires comptroller to establish a pilot project to provide bonding to minority-owned businesses in the construction industry in Shelby County. - Amends TCA Title 9; Title 12 and Title 13. by *Camper.

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House Bill No. 3649 -- Prisons and Reformatory Institutions - As introduced, increases from \$60.00 per day to \$100 per day the possible amount that a county may seek as reimbursement for maintaining an inmate unless the actual per diem cost of maintaining the inmate is less. - Amends TCA Title 5; Title 6; Title 7; Title 9; Title 40 and Title 41. by *Camper.

House Bill No. 3650 -- State Inmates - As introduced, requires department of correction reports on the cost of care for an inmate to include an itemized list of the necessary provisions included in such cost. - Amends TCA Title 8; Title 40, Chapter 24 and Title 41, Chapter 21, Part 9. by *Camper.

House Bill No. 3651 -- Health Care - As introduced, requires that every newborn be tested for lysosomal storage disorders, including Krabbe, Fabry, Gaucher, Pompe, Hurler Syndrome, Niemann-Pick, and others as determined by the department of health as screenings for such become available. - Amends TCA Title 68, Chapter 5. by *Harmon.

House Bill No. 3652 -- Adoption - As introduced, specifies that any post-adoption services provided by the department of children's services shall be available to biological parents, siblings and grandparents of the adopted child. - Amends TCA Title 36. by *Stewart.

House Bill No. 3653 -- Criminal Procedure - As introduced, requires the clerk of court to include in regular monthly report the number of defendants in termination of parental rights cases for whom the court appointed counsel waived the administrative fee or collected the administrative fee. - Amends TCA Title 40. by *Stewart.

House Bill No. 3654 -- Adoption - As introduced, clarifies that each child placed for temporary care or adoption by an unlicensed party is a separate Class A misdemeanor. - Amends TCA Title 36 and Title 37. by *Stewart.

***House Bill No. 3655** -- Taxes - As introduced, exempts from use tax materials purchased by a sports authority or its designee, if the materials are used in the construction or improvements of such entity. - Amends TCA Title 67, Chapter 6. by *Stewart.

House Bill No. 3656 -- Uniform Laws - As introduced, enacts the "Uniform Electronic Legal Material Act." - Amends TCA Title 1; Title 8 and Title 10. by *Stewart.

House Bill No. 3657 -- Courts - As introduced, requires that any necessary equipment and supplies be provided to conduct proceedings when a court holds its session at a location outside the courtroom. - Amends TCA Title 16. by *Stewart.

House Bill No. 3658 -- Insurance Companies, Agents, Brokers, Policies - As introduced, authorizes an insurer who offers a voluntary wellness program to accept a physician's statement that a plan member has a medical condition making the member's participation unreasonably difficult or medically inadvisable. - Amends TCA Title 56. by *Stewart.

House Bill No. 3659 -- Consumer Protection - As introduced, allows the commissioner of commerce and insurance to provide, upon request, a list of acceptable corporate sureties from whom a health club may obtain the required surety bond. - Amends TCA Title 47, Chapter 18. by *Stewart.

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House Bill No. 3660 -- Firearms and Ammunition - As introduced, requires employers to permit employees to carry firearms in their locked motor vehicles when parking in a parking area that is open to the public generally and confers immunity upon the employer for damages arising out of occurrence with a stored firearm. - Amends TCA Title 39, Chapter 17, Part 13. by *Miller D.

***House Bill No. 3661** -- Education - As introduced, deletes references to the joint education oversight committee that has been abolished. - Amends TCA Title 49. by *Fitzhugh.

***House Bill No. 3662** -- Education - As introduced, requires the department of education to track the graduation rates of students expelled from school for zero tolerance violations. - Amends TCA Title 49. by *Fitzhugh.

House Bill No. 3663 -- Campaigns and Campaign Finance - As introduced, prohibits PACs from using funds for anything other than a contribution or expenditure as defined by statute; adds to definition of "contribution" monies received for defraying legal expenses an officeholder or candidate incurred in connection with an election or campaign. - Amends TCA Title 2, Chapter 10, Part 1. by *Fitzhugh.

***House Bill No. 3664** -- Appropriations - As introduced, makes appropriations for the purpose of defraying the expenses of certain legislative enactments passed during the 2012 session of the 107th General Assembly. by *Fitzhugh.

House Bill No. 3665 -- Education, Higher - As introduced, eliminates certain reporting duties of higher education institutions and governing boards; eliminates requirement that applicants for certain positions in residence halls pay for background checks; requires board of regents employees to receive longevity payments with their regular paychecks. - Amends TCA Section 4-22-103; Section 8-23-206; Section 8-44-108(b)(3) and Section 49-7-149. by *Fitzhugh.

House Bill No. 3666 -- Business and Commerce - As introduced, requires a scrap jewelry or metal dealer or pawnbroker to take the thumbprint of a seller under certain circumstances. - Amends TCA Title 38, Chapter 1, Part 2 and Title 45, Chapter 6, Part 2. by *Keisling.

House Bill No. 3667 -- Taxes - As introduced, enacts the "Millionaires' Tax Act." - Amends TCA Title 3; Title 4; Title 5; Title 6; Title 7; Title 8; Title 9; Title 12; Title 16; Title 30; Title 36; Title 39; Title 40; Title 45; Title 47; Title 48; Title 55; Title 56; Title 57; Title 61; Title 62; Title 67; Title 68; Title 69; Title 70 and Title 71. by *Turner J.

House Bill No. 3668 -- Election Laws - As introduced, removes requirement that a person must pay outstanding child support obligations that accumulated during any period of incarceration to have right of suffrage restored. - Amends TCA Title 40, Chapter 29, Part 2. by *Turner J *Kernell.

House Bill No. 3669 -- Children - As introduced, deletes obsolete reporting requirement for the juvenile records task force. - Amends TCA Title 37. by *Turner J, *Kernell.

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House Bill No. 3670 -- Planning, Public - As introduced, authorizes local governments to create grant programs to provide funding to home owners and developers who invest in blighted property for the purpose of providing stabilization of the value of the neighborhood and increase the value of such property. - Amends TCA Title 6; Title 7 and Title 8. by *Turner J, *Kernell.

House Bill No. 3671 -- Public Funds and Financing - As introduced, requires commutation of compensation for exonerated persons to lump sum upon request. - Amends TCA Title 9, Chapter 8, Part 1. by *Turner J.

House Bill No. 3672 -- District Attorneys - As introduced, adds 13 assistant district attorney positions across the state and requires that the DA general conference prepare a report for the speakers and the chairs of the judiciary committees recommending districts in which positions should be designated. - Amends TCA Title 8 and Title 16, Chapter 2. by *McCormick, *Matheny, *McDaniel, *Maggart, *Lundberg, *Watson, *Gotto, *Coley, *Ramsey, *Womick.

House Bill No. 3673 -- Victims' Rights - As introduced, increases from \$1.00 to \$4.00, effective July 1, 2012, the litigation tax collected for deposit in the statewide automated victim information and notification system fund. - Amends TCA Title 40, Chapter 38 and Title 67, Chapter 4, Part 6. by *Matheny, *Dean.

***House Bill No. 3674** -- Zoning - As introduced, requires a public notice and a hearing before an establishment that may be detrimental to the neighborhood can begin operations. - Amends TCA Title 6, Chapter 54; Title 7, Chapter 3 and Title 13, Chapter 7. by *Towns.

***House Bill No. 3675** -- Gas, Petroleum Products, Volatile Oils - As introduced, defines truck stops to include refueling stations and gas stations. - Amends TCA Title 1, Chapter 3, Part 1. by *Towns.

House Bill No. 3676 -- State Inmates - As introduced, directs the department of correction to promulgate rules and regulations on the use of spit masks in prisons; prohibits restricting a prisoner's blood circulation and breathing with the use of spit masks. - Amends TCA Title 4; Title 40, Chapter 7 and Title 41. by *Towns.

***House Bill No. 3677** -- Environmental Preservation - As introduced, prohibits truck stops within one mile where surface or ground water is located; applies only in Davidson and Shelby counties. - Amends TCA Title 13, Chapter 24. by *Towns.

***House Bill No. 3678** -- Food and Food Products - As introduced, enacts the "Genetically Engineered Food Labeling Act." - Amends TCA Title 47, Chapter 18 and Title 53. by *Towns.

House Bill No. 3679 -- Students - As introduced, prohibits students from wearing on school grounds during the school day clothing that exposes underwear or body parts in an indecent manner that disrupts the learning environment. - Amends TCA Title 49. by *Towns.

House Bill No. 3680 -- Gas, Petroleum Products, Volatile Oils - As introduced, requires truck stops to remove abandoned tires from their property within 24 hours. - Amends TCA Title 68, Chapter 211, Part 8. by *Towns.

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***House Bill No. 3681** -- Handgun Permits - As introduced, exempts from having to take a handgun safety course those applicants for a handgun carry permit who have been a member of the Tennessee general assembly within five years prior to applying for such permit. - Amends TCA Title 39, Chapter 17, Part 13. by *Towns.

House Bill No. 3682 -- Motor Vehicles - As introduced, requires tractor trailers and semitrailers to have mud flaps behind the rearmost wheels. - Amends TCA Title 55, Chapter 7. by *Towns.

House Bill No. 3683 -- Gas, Petroleum Products, Volatile Oils - As introduced, prohibits truck stops within 1/2 mile of residential areas; applies only to Davidson and Shelby counties. - Amends TCA Title 13, Chapter 24. by *Towns.

***House Bill No. 3684** -- Environmental Preservation - As introduced, requires truck stops in Shelby County to conduct soil and water testing every three years on their property and areas contiguous to their property to check for contamination from petroleum products. - Amends TCA Title 68, Chapter 215. by *Towns.

***House Bill No. 3685** -- Criminal Offenses - As introduced, prohibits a person who assaults another person at a sporting event from entering the premises of such sporting event for a period of time. - Amends TCA Title 39, Chapter 13, Part 1. by *Towns.

***House Bill No. 3686** -- Appropriations - As introduced, revises FY 2011-2012 appropriation for methamphetamine clean-up. - Amends Chapter 473 of the Public Acts of 2011. by *Sargent, *Powers, *Matheny.

House Bill No. 3687 -- State Government - As introduced, requires department of finance and administration to create electronic tracking system for permits and licenses issued by the state. - Amends TCA Title 4. by *Johnson C.

House Bill No. 3688 -- State Government - As introduced, authorizes certain departments, boards and other governmental entities to allow holders of licenses, certifications or registrations to be notified by electronic mail of renewals, fee increases and changes in the law. - Amends TCA Title 4; Title 37; Title 45; Title 62; Title 63 and Title 71. by *Rich.

House Bill No. 3689 -- Environment and Conservation, Department of - As introduced, requires commissioner to establish management systems to achieve goal of issuing permits within 90 days of submission; requires commissioner to prepare efficiency reports; requires notification to applicant within 30 business days if application is incomplete. - Amends TCA Title 4, Chapter 3, Part 5 and Title 68. by *Hawk.

House Bill No. 3690 -- Game and Fish Laws - As introduced, allows director to issue permanent sport combination hunting and fishing license without payment of a fee to disabled Tennessee residents under the age of 18. - Amends TCA Title 70, Chapter 2. by *Hawk.

House Bill No. 3691 -- Judges and Chancellors - As introduced, requires speakers to appoint all nine members of the judicial evaluation commission since the judicial council no longer exists. - Amends TCA Title 17, Chapter 4, Part 2. by *Dennis.

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House Bill No. 3692 -- General Assembly - As introduced, requires that the executive director of the district attorneys general conference and the director of the TBI appear annually before a joint committee meeting of the house and senate judiciary committees to report on the quality and quantity of the respective prosecutorial and investigative resources and any recommendations for improvement; requires the house and senate judiciary committees to invite the chief justice of the Tennessee supreme court to annually deliver a state of the judiciary address to a joint meeting of those committees. - Amends TCA Title 8; Title 38; Title 39; Title 40; Title 53 and Title 67. by *Stewart.

House Bill No. 3693 -- Public Contracts - As introduced, creates pilot project that will give allowances for Tennessee businesses in the evaluation of bids and proposals for state contracts during a two-year period. - Amends TCA Title 4, Chapter 56; Title 12, Chapter 4 and Title 12, Chapter 3. by *Lundberg.

House Bill No. 3694 -- Zoning - As introduced, enacts "Tennessee Non-Conforming Property Act." - Amends TCA Title 13, Chapter 7. by *Gotto.

House Bill No. 3695 -- Zoning - As introduced, allows on-site signs for structures that are rebuilt to nonconform to existing zoning regulations similar to off-site signs. - Amends TCA Title 5; Title 6 and Title 13. by *Gotto.

House Bill No. 3696 -- Planning, Public - As introduced, clarifies development regulations in effect on date of submission of application for development govern review of that development; specifies that preliminary approval for planned development remains effective five years. - Amends TCA Title 13, Chapter 3, Part 4; Title 13, Chapter 4, Part 3; Title 13, Chapter 7, Part 2 and Title 13, Chapter 7, Part 1. by *Gotto.

House Bill No. 3697 -- Ethics - As introduced, requires members of local and regional planning commissions to file disclosure statements of conflict of interests with Tennessee ethics commission. - Amends TCA Title 8, Chapter 50, Part 5. by *Gotto.

House Bill No. 3698 -- Zoning - As introduced, allows on-site signs for structures that are rebuilt to non-conform to existing zoning regulations similar to off-site signs. - Amends TCA Section 13-7-208. by *Gotto.

House Bill No. 3699 -- General Assembly - As introduced, corrects references remaining in TCA to oversight committees that were abolished by Chapter 410 of the Public Acts of 2011. - Amends TCA. by *Matheny.

House Bill No. 3700 -- Criminal Procedure - As introduced, clarifies that a defendant cannot get records expunged if convicted of an offense other than the charged offense or convicted of one offense in a multi-count indictment, including lesser included offenses. - Amends TCA Title 40, Chapter 32, Part 1. by *Dennis.

House Bill No. 3701 -- Sentencing - As introduced, increases the number of days that a presentence report must be filed with the clerk prior to a sentencing hearing from 10 days to 15 days. - Amends TCA Title 8; Title 38; Title 39; Title 40 and Title 53. by *Stewart.

***House Bill No. 3702** -- Election Laws - As introduced, ensures that certain current provisions pertaining to qualifying petitions for municipal elections in Shelby County continue to apply only to municipal elections in Shelby County. - Amends TCA Title 2. by *Hardaway.

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House Bill No. 3703 -- Special License Plates - As introduced, directs the legend of animal friendly new specialty license plates to bear "Spay/Neuter"; plates to be issued only after exhaustion of existing stock. - Amends TCA Title 55, Chapter 4. by *Odom.

House Bill No. 3704 -- Education, Higher - As introduced, requires a governing board of a public institution of higher education to report annually to the house and senate education committees the attendance of its board members and if applicable, the reason for absence. - Amends TCA Title 49, Chapter 7, Part 1. by *McCormick.

House Bill No. 3705 -- Education, Higher - As introduced, requires public institutions of higher education to report annually to the education committees of the senate and the house on the filling of positions at the institutions. - Amends TCA Title 49, Chapter 7, Part 1. by *McCormick.

House Bill No. 3706 -- Mental Illness - As introduced, permits county with mental health facility, hospital or resource center in it to enter into annual agreement with another county to transport persons from the hospital to the original county for a flat rate or per person fee rather than billing for costs each trip. - Amends TCA Section 33-6-901. by *Ragan.

House Bill No. 3707 -- Constitutional Conventions - As introduced, enacts the "Uniform Limited Convention Act." - Amends TCA Title 3. by *McCormick.

House Bill No. 3708 -- Taxes, Real Property - As introduced, requires the governing body to certify the tax rate after 20 days instead of 15 days from the date the proposed certified tax rate and supporting calculations are received by the executive secretary of the state board of equalization. - Amends TCA Title 67, Chapter 5 relative to levy of property taxes. by *McCormick.

House Bill No. 3709 -- Autopsies - As introduced, extends the date from July 1, 2011, to July 1, 2012, for a facility where autopsies are performed to receive accreditation from the National Association of Medical Examiners. - Amends TCA Section 38-7-105. by *McCormick.

House Bill No. 3710 -- Business and Commerce - As introduced, requires a health, housing and educational facility corporation to file with the state board of equalization a report listing leased properties and details of the lease and payment in lieu of tax (PILOT) agreements by October 20 instead of October 15. - Amends TCA Title 48, Chapter 101, Part 3. by *McCormick.

House Bill No. 3711 -- Advertising - As introduced, clarifies that owners, publishers, operators and employees of a publisher, television station or radio station are not liable for distributing false or misleading advertising matter regarding a mortgage loan unless they know that the matter is false or misleading. - Amends TCA Title 45, Chapter 1; Title 45, Chapter 13 and Title 45, Chapter 5. by *McCormick.

House Bill No. 3712 -- Boards and Commissions - As introduced, requires each speaker appointment for the Tennessee criminal justice coordinating council to be from the respective state and local government committee. - Amends TCA Title 4 and Title 41. by *McCormick.

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House Bill No. 3713 -- Criminal Procedure - As introduced, allows alleged violator 10 days from receipt of letter from district attorney, instead of 15 days, to pay bad check plus fees prior to commencement of criminal action. - Amends TCA Title 40. by *McCormick.

House Bill No. 3714 -- Gas, Petroleum Products, Volatile Oils - As introduced, increases the civil penalty for unfair sales practices by dealers of petroleum products from \$1,000 to \$1,500. - Amends TCA Title 47. by *McCormick.

House Bill No. 3715 -- Education, State Board of - As introduced, defines "textbook" for purposes of the duty of the state board to prescribe textbooks and materials for the public schools. - Amends TCA Section 49-1-302. by *McCormick.

House Bill No. 3716 -- Education - As introduced, requires office of education accountability to submit a copy of its report on monitoring system and school improvement plans to the finance, ways and means committees, in addition to the education committees. - Amends TCA Title 49. by *McCormick.

House Bill No. 3717 -- Tort Liability and Reform - As introduced, provides that the damages that may be awarded in a health care liability action in which liability is admitted or established, are subject to the "Tennessee Civil Justice Reform Act of 2011." - Amends TCA Section 7-57-502; Section 8-42-101; Section 8-21-401; Section 9-8-307; Section 10-7-504; Section 28-3-104; Section 29-26-118; Section 29-26-119; Section 29-26-120; Section 29-26-121; Section 29-26-122; Section 29-26-202; Section 29-20-310; Section 29-26-115; Section 29-26-116; Section 29-26-117; Section 37-5-314; Section 56-3-111; Section 56-30-115; Section 56-31-114; Section 56-32-110; Section 56-32-130; Section 56-54-101; Section 56-54-102; Section 56-54-103; Section 56-54-104; Section 56-54-105; Section 56-54-106; Section 56-7-1001; Section 56-7-101; Section 56-7-115; Section 56-8-104; Section 56-13-104; Section 56-19-125; Section 56-2-201; Section 56-27-115; Section 61-1-306; Section 62-3-121; Section 63-25-110; Section 63-27-112; Section 63-3-119; Section 63-30-111; Section 63-31-109; Section 63-4-114; Section 63-5-124; Section 63-51-105; Section 63-51-111; Section 63-51-117; Section 63-6-214; Section 63-6-219; Section 63-6-221; Section 63-6-234; Section 63-8-120; Section 63-9-111; Section 63-9-117; Section 63-11-215; Section 63-12-124; Section 63-13-209; Section 63-23-108; Section 68-140-311; Section 68-140-511 and Section 68-11-223. by *McCormick.

House Bill No. 3718 -- Health, Dept. of - As introduced, requires the board of pharmacy to report to the senate health and welfare committee and health and human resources committee of the house concerning the drugs it has approved to be dispensed by local health departments by February 1 of each year. - Amends TCA Section 63-10-205. by *McCormick.

House Bill No. 3719 -- Public Health - As introduced, requires the commissioner of health to report, by January 15, 2013, to certain house and senate committees concerning the effects of telemedicine. - Amends TCA Title 56, Chapter 7, Part 23. by *McCormick.

House Bill No. 3720 -- Taxes - As introduced, requires that a common carrier's exemption authorization number be included on any certificate of exemption given to a dealer in order for a common carrier to qualify for a reduced sales tax rate on purchases. - Amends TCA Title 67. by *McCormick.

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House Bill No. 3721 -- Motor Vehicles, Titling and Registration - As introduced, increases the grace period for active military members stationed outside of continental United States to renew vehicle registrations from "14 days" to "30 days" after the member's return to the state; revises when a registration plate must be attached to the rear of a truck. - Amends TCA Title 56; Title 65 and Title 66. by *McCormick.

House Bill No. 3722 -- Taxes - As introduced, requires that a seller and certified service provider engage in at least two sales transactions, instead of one, in order to constitute a recurring business relationship for purposes of exempting them from renewing blanket sales and use tax exemption certificates. - Amends TCA Title 7 and Title 67. by *McCormick.

House Bill No. 3723 -- Taxes - As introduced, specifies that a federal license to sell alcoholic beverages does not mean a federal excise tax receipt. - Amends TCA Title 7; Title 55; Title 57 and Title 67. by *McCormick.

House Bill No. 3724 -- Environmental Preservation - As introduced, extends time for filing appeal of final actions of a region or authority from 30 days to 45 days. - Amends TCA Title 67; Title 68 and Title 69. by *McCormick.

House Bill No. 3725 -- TennCare - As introduced, changes the date of the annual actuarial report by the comptroller of the treasury concerning TennCare from April 15 to March 31; increases the frequency of the bureau of TennCare's reports on the pharmacy rebate program from quarterly to monthly. - Amends TCA Title 56; Title 63; Title 68 and Title 71. by *McCormick.

House Bill No. 3726 -- General Assembly - As introduced, requires that the executive director of the district attorneys general conference and the director of the TBI appear annually before a joint committee meeting of the house and senate judiciary committees to report on the quality and quantity of the respective prosecutorial and investigative resources and any recommendations for improvement; requires the house and senate judiciary committees to invite the chief justice of the Tennessee supreme court to annually deliver a state of the judiciary address to a joint meeting of those committees. - Amends TCA Title 8; Title 38; Title 39; Title 40; Title 53 and Title 67. by *Stewart.

House Bill No. 3727 -- Naming and Designating - As introduced, names pathway surrounding Tennessee Bicentennial Mall in honor of Andrea Conte. by *Naifeh.

House Bill No. 3728 -- Fines and Penalties - As introduced, authorizes the court to instruct the jury to consider the defendant's personal income and ability to pay when determining the fine amount to impose. - Amends TCA Title 8; Title 38; Title 39; Title 40 and Title 53. by *Stewart.

House Bill No. 3729 -- Education - As introduced, urges that the course of instruction in public schools include instruction on the state symbols, their importance and meanings and appropriate display of the state flag. - Amends TCA Title 49, Chapter 6. by *Gilmore.

HOUSE BILLS ON SECOND CONSIDERATION

On motion, bills listed below passed second consideration and were referred by the Speaker to Committee or held on the Clerk's desk as noted:

House Bill No. 2857 -- Criminal Offenses -- House Judiciary Committee

House Bill No. 2858 -- DUI Offenses -- House Judiciary Committee

House Bill No. 3082 -- Animal Cruelty and Abuse -- House Agriculture Committee

***House Bill No. 3083** -- State Employees -- House State and Local Government Committee

***House Bill No. 3084** -- Civil Service -- House State and Local Government Committee

***House Bill No. 3085** -- Civil Service -- House State and Local Government Committee

***House Bill No. 3086** -- State Employees -- House State and Local Government Committee

***House Bill No. 3087** -- State Employees -- House State and Local Government Committee

House Bill No. 3088 -- Sunset Laws -- House Government Operations Committee

House Bill No. 3089 -- Sunset Laws -- House Government Operations Committee

***House Bill No. 3090** -- Taxes, Real Property -- House Finance, Ways and Means Committee

House Bill No. 3091 -- Banks and Financial Institutions -- House Commerce Committee

***House Bill No. 3092** -- Pensions and Retirement Benefits -- House State and Local Government Committee

***House Bill No. 3093** -- Naming and Designating -- House Education Committee

***House Bill No. 3094** -- Utilities, Utility Districts -- House State and Local Government Committee

***House Bill No. 3095** -- Taxes, Exemption and Credits -- House Finance, Ways and Means Committee

***House Bill No. 3096** -- Taxes, Exemption and Credits -- House Finance, Ways and Means Committee

***House Bill No. 3097** -- Criminal Offenses -- House Consumer and Employee Affairs Committee

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House Bill No. 3098 -- Teachers, Principals and School Personnel -- House Education Committee

House Bill No. 3099 -- Welfare -- House Health and Human Resources Committee

House Bill No. 3100 -- Taxes, Franchise -- House Finance, Ways and Means Committee

***House Bill No. 3101** -- Libraries -- House State and Local Government Committee

***House Bill No. 3102** -- Taxes, Hotel Motel -- House State and Local Government Committee

House Bill No. 3103 -- Tort Liability and Reform -- House Judiciary Committee

House Bill No. 3104 -- Game and Fish Laws -- House Conservation and Environment Committee

House Bill No. 3105 -- Planning, Public -- House State and Local Government Committee

House Bill No. 3106 -- Teachers, Principals and School Personnel -- House Education Committee

House Bill No. 3107 -- Taxes, Exemption and Credits -- House Finance, Ways and Means Committee

House Bill No. 3108 -- Education -- House Education Committee

***House Bill No. 3109** -- Teachers, Principals and School Personnel -- House Education Committee

***House Bill No. 3110** -- Immigration -- House State and Local Government Committee

***House Bill No. 3111** -- Conservation -- House Conservation and Environment Committee

House Bill No. 3112 -- Insurance Companies, Agents, Brokers, Policies -- House Commerce Committee

House Bill No. 3113 -- Insurance Companies, Agents, Brokers, Policies -- House Commerce Committee

House Bill No. 3114 -- Lottery, Scholarships and Programs -- House Education Committee

House Bill No. 3115 -- Mental Illness -- House Judiciary Committee

***House Bill No. 3116** -- Taxes, Sales -- House Finance, Ways and Means Committee

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***House Bill No. 3117** -- Election Laws -- House State and Local Government Committee

***House Bill No. 3118** -- Tennessee Housing Development Agency -- House State and Local Government Committee

House Bill No. 3119 -- Alcoholic Beverages -- House State and Local Government Committee

***House Bill No. 3120** -- State Employees -- House Judiciary Committee

House Bill No. 3121 -- Statutes of Limitations and Repose -- House Judiciary Committee

***House Bill No. 3122** -- Civil Procedure -- House Judiciary Committee

***House Bill No. 3123** -- Interest Rates -- House Commerce Committee

House Bill No. 3124 -- Civil Procedure -- House Judiciary Committee

House Bill No. 3125 -- Remedies and Special Proceedings -- House Judiciary Committee

***House Bill No. 3126** -- Highways, Roads and Bridges -- House Transportation Committee

House Bill No. 3127 -- Malpractice -- House Judiciary Committee

***House Bill No. 3128** -- Pensions and Retirement Benefits -- House State and Local Government Committee

***House Bill No. 3129** -- Criminal Offenses -- House Health and Human Resources Committee

***House Bill No. 3130** -- Special License Plates -- House Transportation Committee

House Bill No. 3131 -- Special License Plates -- House Transportation Committee

***House Bill No. 3132** -- Public Utilities -- House Commerce Committee

***House Bill No. 3133** -- Highways, Roads and Bridges -- House Transportation Committee

House Bill No. 3134 -- Special License Plates -- House Transportation Committee

House Bill No. 3135 -- Motor Vehicles -- House Transportation Committee

House Bill No. 3136 -- Motor Vehicles -- House Judiciary Committee

***House Bill No. 3137** -- Transportation, Dept. of -- House Transportation Committee

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***House Bill No. 3138** -- Insurance Companies, Agents, Brokers, Policies -- House Commerce Committee

House Bill No. 3139 -- Election Laws -- House State and Local Government Committee

House Bill No. 3140 -- Election Laws -- House State and Local Government Committee

House Bill No. 3141 -- Public Officials -- House State and Local Government Committee

House Bill No. 3142 -- Taxes, Sales -- House Finance, Ways and Means Committee

House Bill No. 3143 -- Professions and Occupations -- House Commerce Committee

***House Bill No. 3144** -- Pensions and Retirement Benefits -- House State and Local Government Committee

House Bill No. 3145 -- Taxes, Gasoline, Petroleum Products -- House Transportation Committee

***House Bill No. 3146** -- Police -- House State and Local Government Committee

***House Bill No. 3147** -- Employees, Employers -- House Health and Human Resources Committee

***House Bill No. 3148** -- State Symbols -- House Agriculture Committee

House Bill No. 3149 -- Hospitals and Health Care Facilities -- House Health and Human Resources Committee

House Bill No. 3150 -- Uniform Commercial Code -- House Commerce Committee

***House Bill No. 3151** -- District Attorneys -- House Judiciary Committee

House Bill No. 3152 -- Revenue -- House Finance, Ways and Means Committee

***House Bill No. 3153** -- Wildlife Resources Commission -- House Conservation and Environment Committee

***House Bill No. 3154** -- Controlled Substances -- House Health and Human Resources Committee

***House Bill No. 3155** -- Education -- House Education Committee

House Bill No. 3156 -- Environmental Preservation -- House Agriculture Committee

House Bill No. 3157 -- Insurance, Health, Accident -- House Commerce Committee

***House Bill No. 3158** -- Tennessee Wildlife Resources Agency -- Conservation and Environment Committee

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- *House Bill No. 3159** -- Law Enforcement -- House Judiciary Committee
- *House Bill No. 3160** -- Agriculture, Dept. of -- House Agriculture Committee
- *House Bill No. 3161** -- Education, Higher -- House Education Committee
- *House Bill No. 3162** -- Taxes, Exemption and Credits -- House Agriculture Committee
- *House Bill No. 3163** -- Game and Fish Laws -- House Conservation and Environment Committee
- *House Bill No. 3164** -- Livestock -- House Agriculture Committee
- *House Bill No. 3165** -- Boards and Commissions -- House Conservation and Environment Committee
- *House Bill No. 3166** -- Game and Fish Laws -- House Conservation and Environment Committee
- *House Bill No. 3167** -- Tennessee Wildlife Resources Agency -- House Conservation and Environment Committee
- *House Bill No. 3168** -- Game and Fish Laws -- House Conservation and Environment Committee
- *House Bill No. 3169** -- Game and Fish Laws -- House Conservation and Environment Committee
- *House Bill No. 3170** -- Tennessee Wildlife Resources Agency -- House Conservation and Environment Committee
- *House Bill No. 3171** -- Criminal Procedure -- House Judiciary Committee
- *House Bill No. 3172** -- Emergency Communications Districts -- House State and Local Government Committee
- *House Bill No. 3173** -- Motor Vehicles -- House Transportation Committee
- *House Bill No. 3174** -- Motor Vehicles -- House Commerce Committee
- *House Bill No. 3175** -- Criminal Offenses -- House Health and Human Resources Committee
- House Bill No. 3176** -- Unemployment Compensation -- House State and Local Government Committee
- *House Bill No. 3177** -- Boards and Commissions -- House State and Local Government Committee
- *House Bill No. 3178** -- Child Custody and Support -- House Children and Family Affairs Committee

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***House Bill No. 3179** -- Probation and Parole -- House Judiciary Committee

***House Bill No. 3180** -- Judgments -- House Judiciary Committee

***House Bill No. 3181** -- Taxes -- House Conservation and Environment Committee

***House Bill No. 3182** -- Education -- House Education Committee

***House Bill No. 3183** -- Education -- House Education Committee

***House Bill No. 3184** -- Education -- House Education Committee

***House Bill No. 3185** -- Clerks, Court -- House Judiciary Committee

***House Bill No. 3186** -- Motor Vehicles -- House Transportation Committee

***House Bill No. 3187** -- Banks and Financial Institutions -- House Commerce
Committee

***House Bill No. 3188** -- Banks and Financial Institutions -- House Commerce
Committee

***House Bill No. 3189** -- Banks and Financial Institutions -- House Commerce
Committee

House Bill No. 3190 -- Criminal Offenses -- House Judiciary Committee

House Bill No. 3191 -- Forfeiture of Assets -- House Judiciary Committee

***House Bill No. 3192** -- Criminal Offenses -- House Judiciary Committee

House Bill No. 3193 -- Drugs, Over the Counter -- House Health and Human Resources
Committee

House Bill No. 3194 -- Consumer Protection -- House Commerce Committee

***House Bill No. 3195** -- State Employees -- House State and Local Government
Committee

House Bill No. 3196 -- Driver Licenses -- House Transportation Committee

House Bill No. 3197 -- Adoption -- House Children and Family Affairs Committee

House Bill No. 3198 -- Sentencing -- House Judiciary Committee

***House Bill No. 3199** -- Mining and Quarrying -- House Conservation and Environment
Committee

***House Bill No. 3200** -- Capitol -- House State and Local Government Committee

***House Bill No. 3201** -- Fees -- House State and Local Government Committee

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***House Bill No. 3202** -- Taxes, Exemption and Credits -- House Commerce Committee

***House Bill No. 3203** -- Gas, Petroleum Products, Volatile Oils -- House Conservation and Environment Committee

***House Bill No. 3204** -- Gas, Petroleum Products, Volatile Oils -- House Conservation and Environment Committee

***House Bill No. 3205** -- Gas, Petroleum Products, Volatile Oils -- House Conservation and Environment Committee

***House Bill No. 3206** -- Child Custody and Support -- House Children and Family Affairs Committee

***House Bill No. 3207** -- Motor Vehicles -- House Commerce Committee

***House Bill No. 3208** -- Fairs -- House Agriculture Committee

House Bill No. 3209 -- Education -- House Education Committee

House Bill No. 3210 -- Education -- House Education Committee

House Bill No. 3211 -- Education -- House Education Committee

House Bill No. 3212 -- Driver Licenses -- House Transportation Committee

House Bill No. 3213 -- Taxes, Exemption and Credits -- House Finance, Ways and Means Committee

House Bill No. 3214 -- Special License Plates -- House Transportation Committee

***House Bill No. 3215** -- Wildlife Resources Commission -- House Conservation and Environment Committee

***House Bill No. 3216** -- Consumer Protection -- House Commerce Committee

***House Bill No. 3217** -- Utilities, Utility Districts -- House Commerce Committee

House Bill No. 3218 -- Fines and Penalties -- House Judiciary Committee

***House Bill No. 3219** -- Health Care -- House Health and Human Resources Committee

***House Bill No. 3220** -- Psychologists -- House Health and Human Resources Committee

***House Bill No. 3221** -- Workers Compensation -- House Consumer and Employee Affairs Committee

House Bill No. 3222 -- Judges and Chancellors -- House Judiciary Committee

House Bill No. 3223 -- Special License Plates -- House Transportation Committee

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***House Bill No. 3224** -- Education, Higher -- House Education Committee

House Bill No. 3225 -- Fees -- House Judiciary Committee

House Bill No. 3226 -- Criminal Procedure -- House Judiciary Committee

House Bill No. 3227 -- Fees -- House Transportation Committee

House Bill No. 3228 -- Fees -- House Commerce Committee

***House Bill No. 3229** -- Municipal Government -- House State and Local Government
Committee

House Bill No. 3230 -- Local Education Agencies -- House Education Committee

House Bill No. 3231 -- Local Education Agencies -- House Education Committee

House Bill No. 3232 -- Local Education Agencies -- House Education Committee

House Bill No. 3233 -- Local Education Agencies -- House Education Committee

House Bill No. 3234 -- Municipal Government -- House Education Committee

House Bill No. 3235 -- Taxes, Exemption and Credits -- House Government Operations
Committee

House Bill No. 3236 -- Driver Licenses -- House Transportation Committee

House Bill No. 3237 -- Probate Law -- House Judiciary Committee

House Bill No. 3238 -- Local Education Agencies -- House Education Committee

House Bill No. 3239 -- Education -- House Education Committee

House Bill No. 3240 -- Election Laws -- House State and Local Government Committee

***House Bill No. 3241** -- Education -- House Education Committee

***House Bill No. 3242** -- Flags -- House State and Local Government Committee

House Bill No. 3243 -- Jails, Local Lock-ups -- House State and Local Government
Committee

***House Bill No. 3244** -- Criminal Offenses -- House Health and Human Resources
Committee

***House Bill No. 3245** -- General Assembly -- House State and Local Government
Committee

House Bill No. 3246 -- Professions and Occupations -- House Commerce Committee

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***House Bill No. 3247** -- Motor Vehicles -- House Transportation Committee

***House Bill No. 3248** -- Environment and Conservation, Department of -- House Conservation and Environment Committee

***House Bill No. 3249** -- Lottery, Scholarships and Programs -- House Education Committee

***House Bill No. 3250** -- Employees, Employers -- House Consumer and Employee Affairs Committee

House Bill No. 3251 -- Employees, Employers -- House Consumer and Employee Affairs Committee

***House Bill No. 3252** -- Welfare -- House Health and Human Resources Committee

House Bill No. 3253 -- Employees, Employers -- House Consumer and Employee Affairs Committee

House Bill No. 3254 -- Registers of Deeds -- House Judiciary Committee

House Bill No. 3255 -- Taxes, Privilege -- House Finance, Ways and Means Committee

***House Bill No. 3256** -- Children -- House Children and Family Affairs Committee

***House Bill No. 3257** -- Criminal Offenses -- House Judiciary Committee

***House Bill No. 3258** -- Zoning -- House Conservation and Environment Committee

***House Bill No. 3259** -- Pharmacy, Pharmacists -- House Health and Human Resources Committee

***House Bill No. 3260** -- Real Property -- House State and Local Government Committee

***House Bill No. 3261** -- Economic and Community Development -- House Commerce Committee

House Bill No. 3262 -- Judgments -- House Judiciary Committee

House Bill No. 3263 -- Agriculture -- House Agriculture Committee

House Bill No. 3264 -- Law Enforcement -- House State and Local Government Committee

House Bill No. 3265 -- Health, Dept. of -- House Health and Human Resources Committee

***House Bill No. 3266** -- Education -- House Education Committee

House Bill No. 3267 -- Education -- House Education Committee

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House Bill No. 3268 -- Education -- House Education Committee

House Bill No. 3269 -- Students -- House Education Committee

House Bill No. 3270 -- Libraries -- House State and Local Government Committee

***House Bill No. 3271** -- Insurance Companies, Agents, Brokers, Policies -- House Commerce Committee

***House Bill No. 3272** -- Education -- House Education Committee

***House Bill No. 3273** -- Education -- House Education Committee

House Bill No. 3274 -- Motor Vehicles -- House Judiciary Committee

House Bill No. 3275 -- Corporations, For Profit -- House Commerce Committee

***House Bill No. 3276** -- Public Funds and Financing -- House State and Local Government Committee

***House Bill No. 3277** -- Taxes, Exemption and Credits -- House Finance, Ways and Means Committee

***House Bill No. 3278** -- Insurance Companies, Agents, Brokers, Policies -- House Commerce Committee

***House Bill No. 3279** -- Gas, Petroleum Products, Volatile Oils -- House Conservation and Environment Committee

***House Bill No. 3280** -- Special License Plates -- House Transportation Committee

***House Bill No. 3281** -- Campaigns and Campaign Finance -- House State and Local Government Committee

***House Bill No. 3282** -- Judges and Chancellors -- House Judiciary Committee

***House Bill No. 3283** -- Sexual Offenders -- House Judiciary Committee

House Bill No. 3284 -- Education -- House Education Committee

House Bill No. 3285 -- Teachers, Principals and School Personnel -- House Education Committee

House Bill No. 3286 -- Teachers, Principals and School Personnel -- House Education Committee

***House Bill No. 3287** -- Criminal Offenses -- House Judiciary Committee

House Bill No. 3288 -- Health, Dept. of -- House Health and Human Resources Committee

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***House Bill No. 3289** -- Election Laws -- House State and Local Government Committee

***House Bill No. 3290** -- Election Laws -- House State and Local Government Committee

***House Bill No. 3291** -- Election Laws -- House State and Local Government Committee

***House Bill No. 3292** -- Solid Waste Disposal -- House Conservation and Environment Committee

***House Bill No. 3293** -- Welfare -- House Health and Human Resources Committee

***House Bill No. 3294** -- Tort Liability and Reform -- House Judiciary Committee

House Bill No. 3295 -- Controlled Substances -- House Health and Human Resources Committee

House Bill No. 3296 -- Pharmacy, Pharmacists -- House Health and Human Resources Committee

House Bill No. 3297 -- Physicians and Surgeons -- House Health and Human Resources Committee

House Bill No. 3298 -- Insurance, Health, Accident -- House Commerce Committee

***House Bill No. 3299** -- Short Term Loans and Lenders -- House Commerce Committee

House Bill No. 3300 -- Funeral Directors and Embalmers -- House Commerce Committee

House Bill No. 3301 -- Education -- House Education Committee

***House Bill No. 3302** -- Food and Food Products -- House Agriculture Committee

***House Bill No. 3303** -- Taxes, Sales -- House State and Local Government Committee

***House Bill No. 3304** -- Nuisances -- House Judiciary Committee

House Bill No. 3305 -- Special License Plates -- House Transportation Committee

***House Bill No. 3306** -- Teachers, Principals and School Personnel -- House Education Committee

House Bill No. 3307 -- Eminent Domain -- House Judiciary Committee

***House Bill No. 3308** -- Environment and Conservation, Department of -- House Conservation and Environment Committee

MONDAY, JANUARY 30, 2012 -- FORTY-EIGHTH LEGISLATIVE DAY UNOFFICIAL VERSION

House Bill No. 3309 -- County Officers -- House State and Local Government Committee

***House Bill No. 3310** -- Insurance, Health, Accident -- House Commerce Committee

House Bill No. 3311 -- Public Funds and Financing -- House Finance, Ways and Means Committee

House Bill No. 3312 -- Courts -- House Judiciary Committee

House Bill No. 3313 -- Real Estate Agents and Brokers -- House Commerce Committee

House Bill No. 3314 -- Professions and Occupations -- House State and Local Government Committee

House Bill No. 3315 -- Public Records -- House State and Local Government Committee

House Bill No. 3316 -- Finance and Administration, Dept. of -- House State and Local Government Committee

House Bill No. 3317 -- Hospitals and Health Care Facilities -- House Health and Human Resources Committee

House Bill No. 3318 -- Taxes, Hotel Motel -- House State and Local Government Committee

House Bill No. 3319 -- Taxes, Hotel Motel -- House State and Local Government Committee

***House Bill No. 3320** -- Firearms and Ammunition -- House Judiciary Committee

House Bill No. 3321 -- Search & Seizure -- House Judiciary Committee

***House Bill No. 3322** -- Economic and Community Development -- House Commerce Committee

House Bill No. 3323 -- Lottery, Charitable -- House Education Committee

***House Bill No. 3324** -- General Assembly -- House State and Local Government Committee

***House Bill No. 3325** -- Children -- House Education Committee

***House Bill No. 3326** -- Fees -- House State and Local Government Committee

House Bill No. 3327 -- Budget Procedures -- House Finance, Ways and Means Committee

House Bill No. 3328 -- Local Government, General -- House State and Local Government Committee

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***House Bill No. 3329** -- Mental Illness -- House State and Local Government Committee

***House Bill No. 3330** -- Highway Signs -- House Transportation Committee

***House Bill No. 3331** -- Appeal and Review -- House Judiciary Committee

House Bill No. 3332 -- Lottery, Scholarships and Programs -- House Education Committee

House Bill No. 3333 -- Taxes, Exemption and Credits -- House Finance, Ways and Means Committee

House Bill No. 3334 -- Remedies and Special Proceedings -- House Judiciary Committee

***House Bill No. 3335** -- Lottery, Scholarships and Programs -- House Education Committee

***House Bill No. 3336** -- Election Laws -- House State and Local Government Committee

***House Bill No. 3337** -- Teachers, Principals and School Personnel -- House Education Committee

***House Bill No. 3338** -- Trusts -- House Commerce Committee

***House Bill No. 3339** -- Tennessee Arts Commission -- House State and Local Government Committee

***House Bill No. 3340** -- Education -- House Education Committee

***House Bill No. 3341** -- Health Care -- House Health and Human Resources Committee

***House Bill No. 3342** -- Children and Youth, Commission on -- House Children and Family Affairs Committee

***House Bill No. 3343** -- Mental Health, Dept. of -- House Health and Human Resources Committee

***House Bill No. 3344** -- Senior Citizens -- House Health and Human Resources Committee

***House Bill No. 3345** -- Food and Food Products -- House Commerce Committee

***House Bill No. 3346** -- Taxes, Ad Valorem -- House State and Local Government Committee

***House Bill No. 3347** -- Tennessee Higher Education Commission -- House Education Committee

MONDAY, JANUARY 30, 2012 – FORTY-EIGHTH LEGISLATIVE DAY UNOFFICIAL VERSION

***House Bill No. 3348** -- Economic and Community Development, Dept. of -- House Conservation and Environment Committee

***House Bill No. 3349** -- Correction, Dept. of -- House State and Local Government Committee

***House Bill No. 3350** -- Lottery, Corporation -- House State and Local Government Committee

***House Bill No. 3351** -- Labor and Workforce Development, Dept. of -- House Consumer and Employee Affairs Committee

***House Bill No. 3352** -- Financial Institutions, Dept. of -- House Commerce Committee

***House Bill No. 3353** -- General Assembly, Studies -- House State and Local Government Committee

***House Bill No. 3354** -- Motor Vehicles -- House Transportation Committee

***House Bill No. 3355** -- Motor Vehicles -- House Transportation Committee

***House Bill No. 3356** -- Health, Dept. of -- House Health and Human Resources Committee

***House Bill No. 3357** -- Human Services, Dept. of -- House Consumer and Employee Affairs Committee

***House Bill No. 3358** -- Human Resources, Department of -- House State and Local Government Committee

***House Bill No. 3359** -- General Services, Dept. of -- House State and Local Government Committee

***House Bill No. 3360** -- Human Rights Commission -- House State and Local Government Committee

***House Bill No. 3361** -- Safety, Dept. of -- House Transportation Committee

House Bill No. 3362 -- Highway Signs -- House Transportation Committee

House Bill No. 3363 -- Children -- House Children and Family Affairs Committee

House Bill No. 3364 -- Indigents -- House Judiciary Committee

House Bill No. 3365 -- Criminal Offenses -- House Judiciary Committee

***House Bill No. 3366** -- Business and Commerce -- House State and Local Government Committee

House Bill No. 3367 -- Sentencing -- House Judiciary Committee

MONDAY, JANUARY 30, 2012 -- FORTY-EIGHTH LEGISLATIVE DAY UNOFFICIAL VERSION

House Bill No. 3368 -- Criminal Offenses -- House Judiciary Committee

***House Bill No. 3369** -- Judicial Officers -- House Judiciary Committee

House Bill No. 3370 -- Motor Vehicles -- House Transportation Committee

House Bill No. 3371 -- Business and Commerce -- House Commerce Committee

***House Bill No. 3372** -- Workers Compensation -- House Consumer and Employee Affairs Committee

House Bill No. 3373 -- Highway Signs -- House Transportation Committee

CONSENT CALENDAR

House Resolution No. 164 -- Memorials, Sports - Christian Academy of Knoxville, 2011 State Champions, Girls Soccer. by *Matlock, *Hall, *Haynes.

House Resolution No. 165 -- Memorials, Sports - Christian Academy of Knoxville football team, 2011 Class 3A, TSSAA Champion. by *Matlock, *Hall, *Haynes.

House Joint Resolution No. 605 -- Memorials, Recognition - Michael Payne, Jr. by *Matlock, *Hurley.

House Joint Resolution No. 608 -- Memorials, Recognition - J.R. Moon Pencil Company. by *Bass.

House Joint Resolution No. 610 -- Memorials, Recognition - Society of Universal Dialogue and the Turkish-American community of Tennessee. by *Armstrong, *Brooks H, *Tindell, *Odom, *Haynes, *Evans, *Casada, *Dunn.

Senate Joint Resolution No. 516 -- Memorials, Retirement - Captain Terry Webb. by *Southerland.

Senate Joint Resolution No. 517 -- Memorials, Retirement - Detective John Huffine. by *Southerland.

Senate Joint Resolution No. 518 -- Memorials, Sports - Greeneville High School boys' cross country team, TSSAA Class A/AA state champion. by *Southerland.

Senate Joint Resolution No. 519 -- Memorials, Sports - Greeneville High School girls' cross country team, TSSAA Class A/AA state runners-up. by *Southerland.

Pursuant to **Rule No. 50**, Rep. Dunn moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

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VERSION**

Ayes..... 96
Noes..... 0

Representatives voting aye were: Alexander, Armstrong, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Richardson, Roach, Sanderson, Sargent, Sexton, Shepard, Shipley, Sontany, Sparks, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 96

A motion to reconsider was tabled.

UNFINISHED BUSINESS

RULES SUSPENDED

Rep. McCormick moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 612 out of order, which motion prevailed.

House Joint Resolution No. 612 -- Budget Procedures - Authorizes filing of budget legislation by Monday, February 6, 2012. by *McCormick, *Fitzhugh.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. McCormick, the resolution was adopted.

A motion to reconsider was tabled.

RULES SUSPENDED

Rep. McCormick moved to suspend **Rule No. 77**, in order to allow the administration until 4:00 p.m. on Monday, February 6, 2012, to timely file the appropriations bill, the bond bill, the index bill and all other administration bills that make the Governor's budget, pursuant to House Joint Resolution No. 612.

Without objection, it was so ordered.

BILLS WITHDRAWN

On motion of Rep. Sargent, **House Bill No. 2842** was recalled from the Finance, Ways and Means Committee and withdrawn from the House.

On motion of Rep. Montgomery, **House Bill No. 1239** was recalled from the Education Committee and withdrawn from the House.

3920

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

MONDAY, JANUARY 30, 2012 – FORTY-EIGHTH LEGISLATIVE DAY UNOFFICIAL VERSION

On motion of Rep. Montgomery, **House Bill No. 1238** was recalled from the Education Committee and withdrawn from the House.

ANNOUNCEMENTS

BILL FILING DEADLINE

The Clerk announced that the bill filing deadline in the House would be at the close of business on the tenth legislative day, February 1, 2012, provided that the House stays on its normal schedule.

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Joint Resolution No. 565 Rep(s). Bass as prime sponsor(s).

House Joint Resolution No. 587 Rep(s). Niceley, Lollar, P. Johnson, Halford, Gotto, Matheny and Campbell as prime sponsor(s).

House Bill No. 683 Rep(s). Richardson as prime sponsor(s).

House Bill No. 1519 Rep(s). R. Williams as prime sponsor(s).

House Bill No. 2229 Rep(s). Pody, R. Williams, Sexton, Wirgau, Powers, Ragan, Hall and White as prime sponsor(s).

House Bill No. 2284 Rep(s). Keisling as prime sponsor(s).

House Bill No. 2342 Rep(s). Evans as prime sponsor(s).

House Bill No. 2369 Rep(s). Evans as prime sponsor(s).

House Bill No. 2450 Rep(s). Ragan, Powers and Hall as prime sponsor(s).

House Bill No. 2488 Rep(s). Floyd, Sparks, Brown, Todd and Swann as prime sponsor(s).

House Bill No. 2489 Rep(s). Floyd, Sparks, Todd and Swann as prime sponsor(s).

House Bill No. 2492 Rep(s). Floyd, Sparks, Swann and Todd as prime sponsor(s).

House Bill No. 2493 Rep(s). Floyd, Sparks, Maggart, Swann, Todd and Brown as prime sponsor(s).

House Bill No. 2771 Rep(s). M. Turner as first prime sponsor(s).

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House Bill No. 2823 Rep(s). Floyd, Sparks, Brown, Todd, Swann and Maggart as prime sponsor(s).

House Bill No. 3686 Rep(s). Powers and Matheny as prime sponsor(s).

**ENGROSSED BILLS
January 30, 2012**

MADAM SPEAKER: The following bill(s) have been examined engrossed and are ready for transmission to the Senate: House Joint Resolution(s) No(s). 612.

BETTY KAY FRANCIS, Chief Engrossing Clerk

**MESSAGE FROM THE SENATE
January 30, 2012**

MADAM SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 588; concurred in by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE SENATE
January 30, 2012**

MADAM SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 612; concurred in by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

**ENGROSSED BILLS
January 30, 2012**

MADAM SPEAKER: The following bill(s) have been examined, engrossed and are ready for transmission to the Senate: House Joint Resolution(s) No(s). 605, 608 and 610.

BETTY KAY FRANCIS, Chief Engrossing Clerk

**ENROLLED BILLS
January 30, 2012**

MADAM SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Resolution(s) No(s). 164 and 165; and find same correctly enrolled and ready for the signature of the Speaker.

BETTY KAY FRANCIS, Chief Engrossing Clerk

**SIGNED
January 30, 2012**

The Speaker announced that she had signed the following: House Resolution(s) No(s). 164 and 165.

BETTY KAY FRANCIS, Chief Engrossing Clerk

ROLL CALL

The roll call was taken with the following results:

Present..... 97

Representatives present were Alexander, Armstrong, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 97

RECESS MOTION

On motion of Rep. McCormick, and pursuant to Senate Joint Resolution No. 528, the House stood in a brief recess prior to joining the Senate in Joint Convention for the purpose of hearing the Governor's State of the State Address, at the conclusion of which the House stood in recess until 8:45 a.m., Wednesday, February 1, 2012.

IN JOINT CONVENTION

STATE OF THE STATE ADDRESS

MONDAY, JANUARY 30, 2012

The hour having arrived, set by Senate Joint Resolution No. 528, the Senate met with the House in Joint Convention for the purpose of hearing the State of the State Address from Governor Bill Haslam.

The Joint Convention was called to order by Mr. Speaker Ramsey, President of the Joint Convention.

On motion of Senator Norris, the roll call of the Senate was dispensed with.

On motion of Representative McCormick, the roll call of the House was dispensed with.

Thereupon, the Clerk of the Senate read Senate Joint Resolution No. 528, authorizing the Joint Convention.

Senator Norris moved that the President of the Joint Convention appoint a Committee composed of six members from the Senate and six members from the House of Representatives to notify the Governor that the Joint Convention is in session and awaiting his arrival.

Mr. President Ramsey appointed Senators Berke, Haynes, Marrero, McNally, Norris, Tracy; Representatives Dunn, Maggart, Sanderson, Michael Turner, Harmon and Parkinson. Senator Norris served as Chair of the Committee.

BRIEF RECESS

Without objection, Mr. President Ramsey moved that the Joint Convention stand in recess pending the arrival of Governor Bill Haslam.

RECESS EXPIRED

The recess having expired, the Joint Convention was called to order by Mr. President Ramsey.

Mr. President Ramsey recognized Senator Norris at the entrance of the House Chamber, who stated "Thank you, Mr. President, it's the committee and I's great pleasure to present to you the Governor of the State of Tennessee."

Mr. President Ramsey asked the Committee to escort Governor Bill Haslam to the podium.

Mr. President Ramsey stated, "Members of the General Assembly, It is my distinguished honor to present to you the Honorable Bill Haslam, Governor of the Great State of Tennessee."

STATE OF THE STATE ADDRESS
BY GOVERNOR BILL HASLAM
“BELIEVING IN BETTER FOR TENNESSEE”

Lieutenant Governor Ramsey, Speaker Harwell, Speaker Pro Tem Watson, Speaker Pro Tem Matheny, Members of the 107th General Assembly, particularly Senator McNally since it's his birthday, Justices, Constitutional Officers, friends, guests, fellow Tennesseans and my favorite First Lady ever:

It's my responsibility tonight to report to you about the state of our state. As I do that, I want to begin by telling you again how honored I am to serve as your governor. In the little over a year that I have been in office, I've been reminded time and again about the incredible state we live in and the inspiring people who call Tennessee home. I have hope for Tennessee because I have confidence in Tennesseans.

Whether it is visiting with families after last spring's deadly tornados, sitting down with teachers for breakfast, or spending time with Tennessee guardsmen and women in Iraq and Afghanistan, I've been struck by the fact that Tennesseans from all walks of life are so willing to give of themselves to create a better state for our children and grandchildren.

So, what is the state of our state? Well, in many ways we are doing great. We have low debt and low taxes. A history of fiscal responsibility, and I am proud that in working together, we're carrying on that commitment to our taxpayers. The economy is improving, and we added an impressive number of new jobs last year. The unemployment rate is the lowest it's been since 2008, and all across the country, Tennessee is being recognized as a leader in education reform. But yet, all of us realize that we have serious issues to deal with.

Unemployment is still too high, and we are consistently only in the mid-40s when states are ranked for educational achievement. I don't think any of us should be satisfied. So I stand here tonight and ask you: Is the current state of our state good enough? I think the answer is no. I think we can believe in better. We can believe in better for how state government serves Tennesseans. We can believe in better when it comes to the education of our children. And we can believe in better when we talk about a stronger, healthier economy for our state.

When we talk about believing in better, where should we start? I think we start by looking in the mirror. I think we start by reminding ourselves of our purpose as a state government. It's my conviction that we exist to provide services for citizens that they can't purchase themselves. Our job is to provide those services at the lowest possible price. The price, that's the taxes we pay.

At the end of the day, I think that's what people want their state government to do - provide the very best services for the very lowest price. They want a state government that is accountable and spends their tax dollars as carefully as they spend their own dollars. But that's the problem, isn't it? It is very hard for folks to spend other people's money as carefully as they spend their own. Even worse, it's easy for those of us in government to begin to think that the tax dollars are ours. It's here that it's best for all of us to remember what Mark Twain said about the tax payers' dollar: "It's tainted. It 'Taint yours and it 'taint mine."

In government, Tennesseans expect us to talk about results. It's our responsibility to identify a problem, take politics out of the equation and find a solution. I think people are so frustrated with Washington today because when problems are identified, politics are always put into the equation, and there never seems to be any real effort to find a solution.

MONDAY, JANUARY 30, 2012 – FORTY-EIGHTH LEGISLATIVE DAY UNOFFICIAL VERSION

Even when we disagree, in Tennessee, we come together to move forward. A quick check of some of our sister states - and Washington - shows that not everyone is blessed with this common sense. Here we do things differently.

In Tennessee, we've been able to accomplish a lot in a short amount of time. Last year, we focused on a limited number of important issues to make a meaningful difference and impact. We made significant reforms to make our legal system more predictable, which will encourage employers to invest in new employees. We reformed tenure laws to prioritize results for our children. We expanded charter school opportunities for students and parents. We made the lottery scholarship available to students for summer school, which encouraged them to finish school more quickly and help the universities use their campuses more efficiently year round.

In 2011, there were more than 28,000 new Tennessee jobs created and over \$4 billion dollars in capital investment. Our Jobs4TN plan is working. We continue to focus on regionalism, existing businesses and key clusters, but make no mistake, that does not mean we're taking our foot off the gas in pursuing new businesses for Tennessee.

I appreciate how well we have worked together on job creation. A good example is Amazon. I'm proud that we have worked with Amazon to expand the company's presence in Tennessee to include, in addition to Hamilton and Bradley, Wilson and Rutherford counties too, creating thousands of jobs. And through that process we were able to reach an agreement with the company that gives certainty to them and to us moving forward. We need your help in passing the legislation this session to solidify that agreement.

As I said earlier, our role in state government is to provide services that Tennesseans aren't able to get on their own – we build roads, we offer higher education options, we guard prisoners, we help families adopt children, we care for the mentally ill, we patrol highways, we serve veterans, we perform hundreds of other services.

My job as governor is to make sure we're providing those services in a customer-focused and effective way. You know, whether it's in business, government or sports, the team with the best players wins. Unfortunately, in Tennessee state government (excluding the legislature and judiciary), the rules don't always allow us to go out and recruit great players. So we are like a college football team that can't recruit. We can only take players that come to us, and then we decide who plays based on who has been on the team the longest, not necessarily who the best players are. So whether you cheer for the Tigers (that would be the Memphis, Tennessee State or Sewanee variety), the Skyhawks, the Blue Raiders, the Commodores, the Governors, the Vols or the Mocs, I don't think you'd be very excited about the season if your team followed that plan.

You've heard me say it in the past, but it bears repeating tonight, we have to change the way we do government. With limited state and federal dollars to work with, Tennesseans expect us to do more with less. To do that, we must be able to recruit, retain and reward the best and brightest employees so we can give the type of service our citizens deserve. That's why I've introduced the TEAM Act, which stands for Tennessee Efficiency, Accountability and Management Act.

In the next five years, almost 40 percent of our state employees will become eligible for retirement. As we embark on the challenge to recruit top talent to serve in state government, we face a hiring system that's broken.

MONDAY, JANUARY 30, 2012 – FORTY-EIGHTH LEGISLATIVE DAY UNOFFICIAL VERSION

This past fall, Deputy to the Governor Claude Ramsey and Human Resources Commissioner Rebecca Hunter hosted listening sessions across the state to hear from state employees about a number of issues related to recruiting, hiring, managing and retaining talent. The participants represented different agencies, had different job titles and responsibilities, differing lengths of state service, and they came from both executive service and civil service perspectives.

And what we heard from them is what you're hearing from me – our employment system is broken. Let me be clear, this is not an indictment of our workforce. I've visited with employees in all of our 22 departments over the past year, and I've seen firsthand many dedicated, hardworking, and impressive people.

This is about an antiquated system that limits who we can hire and limits growth opportunities for outstanding current employees.

Nobody else hires this way in Tennessee except for the Executive Branch of state government. The legislative or judiciary branches don't face these restrictions and businesses certainly don't. Every time a citizen interacts with state government, it should be a customer-friendly experience with an impressive state employee. You know, I get a lot of feedback from across the state of employees who go over and above the call of duty.

1. For example, there is Maria Stivers. She joined state government in 2007 as a firefighter with the Tennessee Air National Guard at McGhee Tyson and now works in Memphis. She has voluntarily deployed twice as an Air National Guardsman to Iraq and Kuwait. Maria, thank you for being here tonight and for your commitment to our state and our country.

2. And there's Johnny Cosby, Johnny's a correctional officer at the Lois DeBerry Special Needs Facility in Nashville. He was recently appointed to the department's first "Tactical Rapid Response Team," which handles emergency situations. Officer Cosby, thank you for being here this evening and for the work that you do.

3. There is also Trooper Dwayne Stanford. Last September, while making a routine traffic stop, he was shot in the chest. Thanks to his remarkable ability to focus, his experience, his training, and his bullet-proof vest, he survived. Trooper Stanford, we're grateful you're here tonight, and thank you for putting yourself in harm's way to serve our state. Thank you very much.

4. And finally, I'd like to introduce you to a 30-year employee of Mental Health, Doris Prewitt is a counselor at the Western Mental Health Institute in Bolivar. She is described as strong and compassionate with impeccable character, and as someone who approaches her work not as a job but as a calling. Doris, thank you for what you do to support some of our most vulnerable citizens and for being here this evening, Doris.

The five of us were talking before the speech tonight, and I said that they represented thousands of outstanding employees across the state in all of our departments. Couldn't invite them all here tonight, but these are the kind of people that we want to make sure we are hiring as we look at a lean and efficient state government of the future. We understand we're expected to do more with less, and we need the best and the brightest to tackle complex issues for the people of Tennessee.

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Another challenge of our employment system is the convoluted process of managing our workforce. Currently, when the decision's made to eliminate a career service position, it's difficult to know the eventual outcome of that decision because of a complicated process called "bumping."

Here's how it works...a commissioner makes the management decision that a particular position in Davidson County is no longer needed. Let's say that employee is in that position and has 10 years of service. That employee is eligible to "bump" another employee in a similar job, maybe even in neighboring Wilson County, who has only nine years and 11 months of service, and that bumping chain can go on and on, and on, which is a disservice to our managers and our employees. Never once is performance a part of the decision about who keeps their job.

No one can convince me that is the best way to manage our employees and serve our customers. Frankly, I believe it is just plain wrong.

It's important to note that our legislation preserves a streamlined appeals process for these state employees. The bill also includes a mediation program. We understand the value of employees being heard when they have differences with their managers. Joining us tonight are all 22 of our commissioners. I'm very grateful for your hard work on behalf of the State of Tennessee. I think it's worthy of mention that all 22 of them – coming from diverse backgrounds, having a wide variety of responsibilities – all 22 have said that the most critical thing we can do to make state government operate more effectively is to address our employment system.

Well, last year we faced a tough budget when we had \$1 billion less to work with than the prior year. But you, the House and Senate members in this chamber tonight, came together with a responsible, realistic approach and made the tough decisions that were necessary and passed the budget unanimously. We do have some good news this year: revenue collections continue to be encouraging. For 16 consecutive months, we've seen total tax collections come in stronger than projected over the previous year. Our challenge lies in the fact that although growing, revenue collections are only just now recovering to levels of 2007, before the recession. Our current budget also included \$160 million in funding that was slated to go away. And although revenues are growing, the cost to fund program and inflationary growth for areas such as TennCare, the Basic Education Program (BEP), and employee benefits consumes a large portion of our revenue growth each year.

Our budget this year reflects those economic realities. It includes strategic investments in our priorities, savings for the future, and reductions, sometimes painful, to balance the budget. I'm pleased to say that thanks to the hard work of our employees, last year's expenses ended up nearly \$20 million below budget, which obviously means considerable savings for our taxpayers. Our commissioners have been serious about working in each of their departments to identify areas where we can save money. That kind of responsible government allows us to fund our strategic priorities while keeping taxes low.

Well, compensation is a key issue in state government, to no one's surprise, just like everywhere else. Last year, I was pleased that we could provide a 1.6 percent pay raise to state employees who had gone several years without a raise. I am proposing a 2.5 percent pay raise in this year's budget. However, I also think we need to do a true salary survey, comparing our state salaries to those in the private market and to federal and local government salaries. This budget includes the money to fund the salary survey and includes funding to be set aside as a first step toward addressing any major salary discrepancies that might arise as a result of the survey.

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Budgets should be a reflection of your priorities, this budget's no different. We're asking for continued support of the FastTrack grant program in the amount of \$70 million – some of which will be available in this budget year – to provide incentives for Tennessee to compete in a very fast-paced global economy. We're also continuing our commitment to the West Tennessee Megasite by including \$25 million in this year's budget. This is the only megasite still left in the state's inventory, and it's critical that we finish the infrastructure so that it can be a prime location for major employers who are looking for a great place to locate.

*It's worthy of mention that while many states have cut funding for K-12 education in the last several years due to the recession, Tennessee has not done that. We are not only **not** cutting the education budget, we are continuing to fund the cost increases for the BEP.*

Higher education must be another priority for the State of Tennessee. While college isn't for everyone, it must be for more Tennesseans in the future than it's been in the past. When 21 percent of our population has a degree, compared to a national average of 30 percent, and over half of the new jobs being created over the next decade will require degrees, encouraging more Tennesseans to aspire to higher education is one of our key roles as leaders of the state. For most of the last two decades, higher education has received less funding for their operating budget. That changes this year. In addition, we are increasing the amount of money available in need-based scholarships. We simply have to keep tuition increases in Tennessee to a minimum so that we can encourage more access for more students.

Access is critical to a successful education program. Let me speak plainly, for the last several years we have not been funding higher ed's capital plans to the degrees necessary to meet growing student demand. We need more space to train students in science, technology, engineering, and math - critical subjects in which we must provide more trained graduates.

This budget will finally provide the state's funding for the long-overdue science building at MTSU, the science laboratory facilities at the University of Tennessee- Knoxville, a new patient diagnostic center at the University of Tennessee Health Science Center in Memphis, as well as planning money for new buildings at Nashville State Community College, Northeast State Community College, the University of Memphis, and the University of Tennessee - Chattanooga.

As many of you will remember, the budget two years ago included cuts to critical services as a result of the economic downturn. The state was able to delay those cuts by funding them with one-time federal money. However, \$160 million of those cuts were slated to go into effect this year. It included many critical programs for our state programs like the Coordinated School Health Program, extended teacher contracts, alcohol and abuse treatment programs, childcare benefits, juvenile justice Grants, diabetes prevention, and matching dollars for 401k programs for state employees. I am proud to say that this budget restores over \$100 million of those cuts to protect vital services for our citizens.

Finally, any good budget in tough times is a balance of strategic cuts and reinvestments while making certain that we are keeping taxes as low as possible. As you all know, I am proposing to raise the exemption level on the estate tax in Tennessee. This year's budget would raise the exemption from \$1 million to \$1.25 million, with a goal of reaching the federal exemption level of \$5 million while I am governor. I am convinced that our current estate tax is chasing people and capital out of our state and it discourages people who don't live here from investing here. Quite simply, the only way that new jobs get created is when people are willing to invest capital. At a time like this, when the economy is still struggling to rebound, I want to do everything I can to

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encourage people to invest their capital in Tennessee. We've done that by making our legal system more predictable, reviewing state rules and regulations, and focusing on strengthening our attractive business climate.

Likewise, many of you have long expressed a desire to decrease the tax on groceries in Tennessee. This budget proposes to do just that: taking the state portion of the sales tax on groceries from 5.5 percent to 5 percent over the next three years.

We are also putting \$50 million into the Rainy Day Fund this year, which brings it up to \$356 million. While it is important to return taxpayer dollars to taxpayers every chance we get, we've all seen the importance of a healthy Rainy Day Fund to pay for critical services during difficult times. I will continue to make it a priority to build our reserves steadily while I'm in office.

Our budget also reflects the process that each department spent the last year going through a top to bottom review. You may remember at the outset of our administration, I asked each commissioner to evaluate his or her agency as if they were starting from scratch. If you were beginning state government all over again, would your department look the same?

The work on these reviews was extensive. For example, Children's Services sought input from more than 4,000 people including staff, shareholders and focus groups, which resulted in 11,000 comments. The commissioner and deputy commissioner of Human Services talked with more than 600 employees across all divisions.

As a result, departments have identified millions of dollars in savings from restructuring their organizations, and we expect additional savings as implementation occurs.

Several departments found through the process a cost advantage to eliminating outside consultants. For example, TDOT is looking at saving money by filling some full-time positions with state employees instead of using consultants in several areas.

Last year you may remember me talking about focusing on our driver license centers. Commissioner Givens and his team have done a great job, and they've standardized hours of operations across the state. We'll have self-service kiosks in all three grand divisions by summer and a total of 40 kiosks to be rolled out soon.

Our final report on the top-to-bottom review process will be available at the end of February. It will outline what each department is in the process of doing or will be doing to implement their plans.

We also applied the top-to-bottom review process to the 200-plus boards and commissions in state government by thoughtfully reviewing their history, mission and cost to make sure in 2012 they are fulfilling the purpose they were originally intended to when they were created. As a result, we have proposed several changes.

We're recommending the Tennessee Regulatory Authority's board be changed from four fulltime members to five part-time members with a full-time executive director. We believe this new structure will be more efficient and effective and will attract highly-qualified and experienced candidates.

We're also recommending that some executive directors of agencies report directly to the governor. For example, I believe the Tennessee Higher Education Commission should have a

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more direct tie to the Governor's Office. THEC functions as a policy arm for higher education issues, and like the policy chief for K-12 education reports to the governor, it makes sense that higher education should have a similar structure.

We're also recommending consolidating and streamlining several agencies to limit overlapping of functions.

One of these proposals is also part of our public safety action plan. We've proposed moving parole oversight from the Board of Probation and Parole to the Department of Correction for a more seamless process.

A national study shows that Tennessee ranks 4th in the nation for violent crimes per capita.

I am proud that 11 different state agencies have joined together to create a plan that I believe will change this trend. They're working to implement a multi-year strategy that includes prescription drug abuse legislation aimed at improving the current database to make it easier to identify abusers.

Tennessee ranks second in the country – behind only West Virginia – in prescription drug use. Tennesseans average 17 prescriptions a year vs. the national average of nearly 12. And emergency room visits for prescription drug overdoses now equal the number of visits for illegal and over-the-counter drugs in Tennessee.

We're also recommending placing more non-violent drug addicts into drug court treatment programs. This will better serve those offenders by focusing specifically on their addiction. It also saves the state money because the Department of Correction pays \$35 a day for the care of an offender in drug court and \$65 per day for that same person to be in prison.

We're proposing tougher sentences for certain types of gang-related crimes, tougher sentences for gun possession by those with prior violent felony convictions.

And we're calling for mandatory incarceration time for repeat domestic violence offenders. Too many times repeat offenders aren't facing any consequences under our current laws. In 2010, domestic violence offenses made up more than half of all reported crimes against Tennesseans, and according to an annual study by the Violence Policy Center, the rate of women killed by men in Tennessee is the 5th highest in the nation.

Keeping our citizens safe is a fundamental responsibility of state government, but public safety also plays a significant role in assuring that Tennessee continues to be an attractive place for businesses to locate and grow. Many of us in this chamber spent a lot of time focused on job growth in Tennessee this past year. I traveled across the state visiting with employees and businesses leaders, hosted groups at the Capitol and Governor's Residence, called on companies outside of Tennessee for in-depth discussions about our strengths and weaknesses as a place to locate jobs.

After hundreds of conversations with businesses, large and small, companies that are located here and those that we wish would locate here, I am convinced of this: Tennessee can compete with anyone when it comes to attracting jobs. The work environment, quality of life, low tax burden, and committed workers make this a great place to do business. But there was, and is, one consistent problem that I hear from current and potential employers. There's a concern about the depth and breadth of employees with specific skills.

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If we're going to be a state that attracts companies to locate here and grow here; a state that keeps its best and brightest graduates here with good-paying, high-quality jobs, there's nothing more important we can do than to focus on education.

When a plant manager in Jackson hires workers from Kentucky, when a Chattanooga manufacturer imports workers from Georgia because both say they can't find Tennessee graduates with strong enough skills in math and science, that is unacceptable. Those are our jobs, for our graduates, and we have to get them back. We have to believe in better for our children.

As we all know, there's been a lot of discussion over the past year about the politics of education. Accusations have gone back and forth and fingers have been pointed about who really cares about students and who really cares about teachers. Tonight, I ask all of us to set those distractions aside and to focus on those things that we all know to be true.

First, the world has changed, and we must raise our expectations for our students, our teachers, our administrators, our parents, and yes, ourselves as leaders as well. Second, after decades of lagging behind the rest of the country when it came to education results, Tennessee is on the right path in education. We got on that path through a historic, bi-partisan commitment that led to Tennessee winning the Race to the Top funding. We've made a commitment to raising our standards with a new core curriculum and asking our institutions of higher education to focus on graduating students through the Complete College Program. We're doing this hard work because we all believe in better for our students.

I'm highly confident that Tennessee will be one of the very first states to receive a waiver from the federal government's No Child Left Behind law. Under the outdated federal rules, tens of thousands of hard-working teachers have been going to work every day, often leading their students to significant improvement, only to be told that their schools were failures. That's wrong, and with this waiver, we can build a Tennessee accountability system that measures growth and improvement and gives every school a chance to succeed by doing better each year.

Virtually every state wants a waiver from No Child Left Behind. But make no mistake; we expect that Tennessee will be one of the first states to receive this waiver because we are already taking on the hard work of education reform.

We must continue to build on our momentum to make our schools better. We can't put off until tomorrow what we should be doing today – using data to measure student performance. And I believe if we're willing to evaluate 10-year-olds, which we've been doing since we started sending home report cards, then there is not one good reason that all adults shouldn't be evaluated too, and there's no good reason to wait. It is important, of course, that we keep working to make our evaluation process better. The State Collaborative on Reforming Education will be spending the year talking to teachers and principals statewide to evaluate our evaluation system, and after gathering and analyzing that information, we know there may be changes that need to be made, but we can't slow up the tremendous progress this state has made in recent years. There is too much at stake for our kids and for our economy.

You know, there is something deeply concerning that's changing in our country right now. Today, 70 percent of Americans would say that their lives and economic prospects have been better than their parents, but only 33 percent of us believe that that will be true for our children. The American dream is at stake. When people are asked who they attribute the blame to, the

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answer is not big business, it's not unions, it's not educators. The answer is government. The truth is Americans haven't lost faith in America; they've lost faith in those who lead it. We don't need to be like Washington. We can believe in better for Tennessee.

All of us in here ran for election and we worked to be here because we wanted to make a difference. I think we have the chance to do that in Tennessee – to move Tennessee forward. I think Tennessee can be a place where we're about results and not about rhetoric.

So here are my final two promises to you: First, I promise to be relentless when it comes to providing the very best service to our taxpayers for the very lowest price. They deserve it. Second, on issue or policy, our administration will always work to get to the right answer, not just our own answer.

So many people today are working hard, but they're worried about their future and our country's future. We owe it to them to get it right. Let's not waste this chance to get it right for Tennesseans for today, for next year, and for many years to come. As I stand before you this evening, I challenge all of us to believe in better. As the elected leaders of this great state, it's what Tennesseans expect from us, and it's what we owe to them. Working together, we are going to achieve a better Tennessee.

Thank you very, very much.

Thereupon, the purpose for which the Joint Convention was called having been accomplished, Madam President Harwell declared the Joint Convention dissolved.